

Energy NPS Team
Department for Energy Security and Net Zero
3-8 Whitehall Place
London
SW1A 2AW

Enquiries to: Phil Watson Strategic Energy
Projects Manager

Email: phil.watson@suffolk.gov.uk

BY EMAIL

Date: 29/05/2025

energyNPS@energysecurity.gov.uk

FAO: Energy NPS Team

**Planning for New Energy Infrastructure Revised Draft National Policy
Statements for energy infrastructure: A response from Suffolk County Council**

Suffolk County Council (the Council) welcomes the opportunity to comment on the Draft National Policy Statements for Energy (EN-1 EN-3 and EN-5).

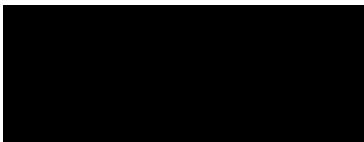
Suffolk County Council has a long record of engagement with projects consented under the Planning Act 2008, beginning with one of the earliest consents, the Ipswich Rail Chord, in 2011. Subsequently, the Council has been a statutory consultee for nuclear and offshore wind projects and is currently engaging with multiple solar, and transmission projects both on and offshore.

The principal issues of concern for Suffolk County Council in responding to the draft policies are:

- That the reliance on the Centralised Strategic Network Plan (CSNP) as the basis for transmission infrastructure need cases, is likely to create significant issues regarding engagement and fairness that need to be resolved. (Question 5)
- That the CSNP alone does not appear to be definitive to settle the need case for a transmission project, based on recent major changes to transmission proposals announced in May 2025. (Question 5)

- That the quality of applications for major infrastructure will continue to be based on the quality of the applicant, the organisation and leadership of their project development and design, and the quality of the engagement they have with statutory consultees and communities. (Question 2)
- That during the transitional period for the Electricity Transmission Design Principles (ETDP) all emerging transmission projects should have regard for the ETDP following publication, therefore the ETDP will be able to influence and shape, to some degree, the later stages of the project design process, even if they have not been able to shape the strategic and front end of the design stage.(Question 7)
- That the importance of effective, timely, and proportionate pre-application engagement between the applicant, consultees, and the public, cannot be overemphasised, and this is reflected in paragraph 4.2.12 of draft EN-1, and with which the Council agrees. However, given the emerging proposals in the Planning and Infrastructure Bill, specifically Gov NC 44, the County Council considers that the proposed revision to the Planning Act 2008 is not aligned with, and cannot secure the objectives of, paragraph 4.2.12¹, unless the applicant chooses to be conscientious and diligent. Therefore, applicants must be compelled to meet the requirements of this policy if it is to be effective. (Question 9)

Yours faithfully,



Richard Rout

Cabinet Member for Devolution, Local Government Reform, and Nationally Significant Infrastructure Projects

¹ Written evidence submitted by Suffolk County Council (specifically regarding Gov NC 44 and Gov NC45) (PIB114) <https://bills.parliament.uk/publications/60875/documents/6527>

1. To what extent do you think the inclusion of Clean Power 2030 policy in EN-1 provides sufficient guidance for developers to bring forward relevant projects?

The inclusion of Clean Power 2030 in EN-1 provides the relevant policy context for developers and consultees alike.

2. To what extent do you think the updates to the Critical National Priority policy help bring forward higher quality?

Suffolk County Council considers that the quality of applications for major infrastructure will continue to be based on the quality of the applicant, the organisation and leadership of their project development and design, and the quality of the engagement they have with statutory consultees and communities.

Therefore, it is the effectiveness of the pre-application process that will remain critical to the quality of proposals at the DCO application stage.

3. Do you have comments or amendments on any aspects of the new guidance for onshore wind?

Overall, the policy regarding onshore wind should be much more robust in safeguarding Nationally Designated Landscapes and meeting the enhanced duties under the Levelling-Up and Regeneration Act 2023.

NPS EN-3 reintroduces onshore wind to the NSIP regime, and paragraph 2.3.6 states when considering applications for CNP infrastructure (now including onshore wind) in nationally designated landscapes, including National Landscapes, the “Secretary of State will take as the starting point that the relevant tests in Sections 5.4 and 5.10 of EN-1 have been met, and any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by the urgent need for this type of infrastructure”.

There is a significant risk that the wording, “*clearly outweighed by the urgent need*” will lead to a downgrading of the weight that should be given to adverse impacts of a proposal on nationally designated landscapes. consequently, particularly given the enhanced duty to further the purposes of designated landscapes (including their setting) in the Levelling-Up and Regeneration Act in 2023.

Therefore, whilst the additional wording in paragraph 2.12.293 that:

“Nationally designated landscapes (National Parks, the Broads and National Landscapes) collectively referred to as Protected Landscapes, are particularly sensitive to large scale on shore wind development. Assessing impacts on these areas

must reflect their importance and take account of their statutory purposes. The natural beauty, special qualities and key characteristics of these landscapes are especially important.”

Therefore, the policy does not appear to be clear, given the especially widespread and often substantial visual impacts of onshore wind turbines, where the balance lies between these two conflicting priorities, and Nationally Designated Landscapes may not be adequately protected.

4. Do you have comments on any aspects of the updated guidance for offshore wind?

Suffolk County Council welcomes the improvements in relation to seascape for example at paragraph 2.8.178 -185, including the reference to “conservation and enhancement” and the greater clarity and emphasis around the importance of the White Report 2020, in relation to the assessment of impacts particularly in relation to Nationally Designated Landscapes

5. Do you agree with the proposal in EN-5 to endorse the electricity transmission recommendations set out in the CSNP to accelerate consenting times and support the upgrade of the electricity grid?

The NPS takes the CSNP assessment of a strategic solution as the final word in terms of alternatives (Draft EN-1 3.3.78 – 3.3.80)

Whilst this may be an attractive, and not unreasonable option for both Transmission Owners and DESNZ it does raise important questions and issues that will need to be addressed, specifically:

- a) That the methodology used for CSNP, and how that is arrived at, is critical – is “*Least Worst Regret*” therefore, still appropriate in all cases?
- b) That public confidence in, and the transparency and process around, the development of the CSNP, and its associated Strategic Environmental Assessment (SEA) will also be critical.

These will be very serious operational and public engagement challenges for the National Energy System Operator.

Therefore, Suffolk County Council suggests that it will be critical, for future CSNP consultations to include a process of geographical focus on areas, and communities, that are likely to host the proposed strategic connection solutions.

Only in this way can any discussion of alternatives, and the examination of the strategic solution proposed, be reasonably and appropriately removed from the Examination of individual projects. Otherwise, there is a potential deficit in the overall process, in terms of the Common Law Gunning principles regarding consultation.

Furthermore, there may be doubt that the need case for projects in the CSNP remains durable. For example, the Council understands that National Grid has recently launched (consultation June – August 2025) the Weston Marsh to East Leicestershire pylon project, and that this is a much smaller alternative engineering and electrical solution to a proposed overhead line between Lincolnshire and Hertfordshire known as LRN6, that had been previously identified in the tCSNP and Beyond 2030² [March 2024]. This is despite this solution having previously been identified at “*Proceed Critical*” in December 2024, in Ofgem’s funding approval for the tCSNP.³

Therefore, it does not appear that the CSNP can be relied on to be definitive, in relation to project need case or the consideration of alternatives, given the dynamic nature of the evolving electricity transmission system.

6. Do you have any comments on the proposal? Reference to the Electricity Transmission Design Principles

See 7 below

7. Do you agree with the proposal in EN-5 to reference the ETDP and to set out that developers should have regard to the ETDP, as relevant, in addition to the Holford and Horlock rules?

Whilst Suffolk County Council welcomes the proposed electricity transmission designed principles, footnote 24 is noted, in that any project that has been through strategic front-end design before publication all the principles, will not be expected to have regard for them.

The Council considers of that a more appropriate transitional approach would be for projects to have regard for them at the earliest possible design stage following their publication, therefore they will be able to influence and shape, to some degree, the later stages of the design process, even if they have not been able to shape the strategic a front end design stage.

8. Do you have any comments on this proposal?

² Beyond 2030 A national blueprint for a decarbonised electricity system in Great Britain <https://www.neso.energy/document/315516/download> March 2024

³ Decision on the regulatory funding and approval framework for onshore transitional Centralised Strategic Network Plan 2 projects https://www.ofgem.gov.uk/sites/default/files/2024-12/tCSNP2_decision.pdf

- **The Status of National Landscapes and the recognition of other sensitive locations outside designated or landscapes**

Suffolk County Council welcomes the clarification in draft NPSs regarding the duty to further the purposes of National Landscapes that is AONB's and National Parks. However, based on its own experience on NSIP projects, there is considerable variation in applicants' willingness to engage with this responsibility.

The Council also welcomes the retention of provision in Draft EN-5 para 2.11.6 for the case by case consideration of additional mitigation measures including underground sections of overhead lines.

- **EN-1 and pre- application consultation**

Suffolk County Council agrees with the revised principles of pre -application set out in Draft EN-1 (4.2.6 – 4.2.12) Such as recommending the applicant to consider additional consents licences and permits at the earliest possible stage.

Suffolk County Council also agrees that a single statutory pre app consultation is appropriate, or, alternatively, statutory notification by the project promoter of the intention to submit an application either one year or two years in advance of submission, depending on the nature and scale of the project.

The experience of Suffolk County Council having participated in nationally significant infrastructure projects since 2010, is that, as the number of applications seeking to use the Planning Act 2008 has increased, the average quality of those applications has fallen, and an increasing number of applicants have placed too much reliance on planning consultants to lead projects, rather than support the applicant's leadership of projects and the applicant's engagement with consultees and communities.

In an effort to streamline the pre-application stage, EN-1 outlines detailed advice for applicants, such as considering environmental licences at the earliest stage possible, avoiding the use of repeated consultations to test the minimum level of mitigation for impacts and ensuring that protective provisions have been agreed ahead of statutory deadlines.

The County Council considers that the importance of effective, timely, and proportionate pre application engagement between the applicant, consultees and the public, cannot be overemphasised, and this is reflected in paragraph 4.2.12

4.2.12 Applicants must ensure that applications are ready to be examined before an application is made. The Planning Act system is designed to be frontloaded, and applications should not enter the statutory system if they are not ready to be consented. Examining Authorities, and indeed Secretaries of State, should be focused on considering the planning merits of an application, and not using time during the examination and decision-making stages seeking to address deficiencies in an application. Applicants and affected parties should ensure that protective provisions have been agreed ahead of statutory deadlines.

Given the emerging proposals in the Planning and Infrastructure Bill, specifically Gov NC 44, the County Council considers that the proposed revision to the Planning Act 2008 is not aligned with and cannot secure the objectives of 4.2.12⁴, unless the applicant elects to be conscientious and diligent. Therefore, applicants must be compelled to be so, in some way, if these objectives are to be achieved.

⁴ Written evidence submitted by Suffolk County Council (specifically regarding Gov NC 44 and Gov NC45) (PIB114) <https://bills.parliament.uk/publications/60875/documents/6527>