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Dear Rebecca,

TKRE Cable Tunnel Replacement Project: Request for a Screening Opinion under Regulation 8 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

This letter and the enclosed Environmental Screening Report (ESR) constitute a request for an EIA screening opinion from Gravesham Borough Council under Regulation 8 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (hereafter referred to as 'the EIA Regulations'). This letter and the enclosed ESR seeks to determine if the proposed TKRE Cable Tunnel Replacement Project constitutes EIA development.

Introduction to National Grid and the Proposed Development

National Grid Electricity Transmission (hereafter referred to as 'National Grid') owns and operates the national high-voltage electricity transmission system throughout England and Wales. The key role of the transmission system is to connect the electricity generators' power stations with the local distribution networks of the regional electricity companies. National Grid holds the Transmission Licence for England and Wales and is thus obligated to develop and maintain an efficient, co-ordinated and economical system of electricity transmission and to facilitate competition in the generation and supply of electricity, as set out in the Electricity Act 1989.

National Grid's operations are dictated by the latest Future Energy Scenarios (FES) and Electricity Ten Year Station (ETYS) reports. In recent years, these reports have begun forecasting a large amount of renewable and low carbon energy generation, connecting into the transmission network in the east coast of England, together with three interconnectors from the continent. Through these forecasts, National Grid Electricity System Operator (ESO) has identified that the Tilbury to Grain and Tilbury to Kingsnorth (TKRE) 400 kilovolt (kV) circuits will be significantly overloaded in their current capacity and require upgrading.

Each year, the ESO undertakes an assessment of the options National Grid has available for meeting forecasted energy demands (the Network Options Assessment, NOA). This assessment comprises economic analysis to understand the balance between managing power flows across network boundaries. In the most recent NOA (2021/22), the ESO has recommended investment in upgrading the TKRE 400 kV circuits giving the project a 'proceed' signal with an Earliest in Service Date (EISD) of 2028. This was reconfirmed in the NOA refresh published July 2022.

The TKRE 400 kV circuits are currently predominantly overhead line, with a section installed within a deep tunnel beneath the River Thames. As the Transmission Licence Holder with responsibility for the TKRE circuits, National Grid are required to upgrade the existing circuits.

Overview of the Proposed Development

The TKRE Cable Tunnel Replacement Project (hereafter referred to as 'the Proposed Development') relates to the replacement of the cable section beneath the River Thames of the TKRE 400 kV circuits only. It is proposed that a new bored tunnel under the River Thames is constructed to house new cross linked polyethylene (XLPE) cables. In addition, associated new infrastructure is proposed either side of the River Thames in Tilbury and Gravesend comprising:

- Two new headhouses;
- Two Sealing End Compounds (SECs); and
- Overhead line re-stringing to connect the existing overhead lines to each of the new SECs.

Within the jurisdiction of Gravesham Borough Council, the following infrastructure is required:

- One new headhouse; and
- One new cable sealing end compound and terminal pylon.

Planning Context

Permitted Development

The required headhouse and SEC cannot be located on land within National Grid's control therefore permitted development rights would be available and a planning applications would not be required under the Town and Country Planning Act 1990 (as amended).

A summary of the consents considered for this project that are relevant to your authority area is presenting in tabular form at the end of this letter (Table 2).

Requirement for EIA

The Town and Country Planning (Environmental Impact Assessment) Regulations 2017

EIA Development is defined in The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 as either:

- Schedule 1 development; or
- Schedule 2 development likely to have significant effects on the environment by virtue of factors such as its nature, size or location.

The Proposed Development does not fall within the definition of Schedule 1 development. Schedule 2 development is defined by the EIA Regulations as: Development of a description mentioned in Column 1 of the table in Schedule 2 where:

- any part of that development is to be carried out in a sensitive area; or
- any applicable threshold or criterion in the corresponding part of Column 2 of that table is respectively exceeded or met.

The closest description within Schedule 2 is Category 10(b) 'urban development', which the relevant corresponding threshold reads are as follows:

"In the case of Urban Development Projects,

- *the development includes more than 1 hectare of development which is not dwelling house development; or*
- *the development includes more than 150 dwellinghouses; or*
- *the area of the development exceeds 5 hectares."*

It should be noted that a Sensitive Area is defined as land designated as a National Park, Site of Special Scientific Interest (SSSI), Area of Outstanding Natural Beauty (AONB), UNESCO World Heritage Site (WHS), Scheduled Monument or European Protected Site. The elements of the Proposed Development within Gravesham Borough Council's jurisdiction do not fall within any of the aforementioned Sensitive Areas.

The Proposed Development would exceed the threshold set at (i) because it would consist of more than 1 hectare of development which is not dwellinghouse development. Therefore, an EIA Screening Opinion is being sought from Gravesham Borough Council in order to determine whether the development is likely to give rise to likely significant environmental effects on its own or cumulatively with other developments.

Request for a Screening Opinion and Provision of Relevant Information

Under Regulation 8 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, National Grid requests that Gravesham Borough Council adopts a Screening Opinion as to whether the TKRE Cable Tunnel Replacement Project would be likely to have significant effects on the environment by virtue of factors, such as its nature, size or location.

In accordance with Regulation 6(2) of the EIA Regulations, an Environmental Screening Report (ESR) is enclosed which includes the following information as set out in Table 1 below:

Table 1: Summary of Information required by the EIA Regulations

Information Required	Content within the ESR
(a) a plan sufficient to identify the land;	Refer to Figures 1 and 2 in Appendix A of the ESR
(b) a description of the development, including in particular— (i) a description of the physical characteristics of the development and, where relevant, of demolition works; (ii) a description of the location of the development, with particular regard to the environmental sensitivity of geographical areas likely to be affected;	Refer to ESR Chapter 2 Project Description
(c) a description of the aspects of the environment likely to be significantly affected by the development;	Refer to ESR Chapter 3 Information to Support EIA Screening
(d) to the extent the information is available, a description of any likely significant effects of the proposed development on the environment resulting from— (i) the expected residues and emissions and the production of waste, where relevant; and (ii) the use of natural resources, in particular soil, land, water and biodiversity; and	Refer to ESR Chapter 3 Information to Support EIA Screening
(e) such other information or representations as the person making the request may wish to provide or make, including any features of the proposed development or any measures envisaged to avoid or prevent what might otherwise have been significant adverse effects on the environment.	Refer to ESR, in particular Chapter 2 Project Description, Chapter 3 Information to Support EIA Screening, ESR Chapter 4 and Information to Support Planning Applications

This letter together with the enclosed Environmental Screening Report comprises National Grid's request for a Screening Opinion from your Authority. It should be noted that an EIA Screening Opinion request has also been made to the following organisations, in relation to the parts of the Proposed Development which fall within their jurisdiction:

- **Thurrock Council;** EIA Screening under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 for one new shaft headhouse and one new cable sealing end compound;
- **Marine Management Organisation;** EIA Screening under The Marine Works (Environmental Impact Assessment) Regulations 2007 for the new bored tunnel; and
- **Department for Energy Security and Net Zero (DESNZ);** EIA Screening under The Electricity Works (Environmental Impact Assessment) (England and Wales) Regulations 2017 for the overhead line modification works.

Based on the information provided, and in accordance with Schedules 2 and 3 of the EIA Regulations 2017, it is considered that the proposed development will not give rise to significant environmental effects during either construction or operation. It is therefore concluded that it is not EIA Development and as such, a formal Environmental Statement is not required and the Proposed Development would be constructed under

National Grid's permitted development rights. However, it is proposed to undertake non-statutory environmental appraisals of which further details are provided in the enclosed ESR.

Gravesham Borough Council is requested to review the details as presented and provide an EIA screening opinion in accordance with the EIA Regulations, as to whether or not they agree with our conclusion. It is acknowledged that, as per the EIA Regulations, up to three weeks (21 days) (beginning from the date of receipt) is available to form a screening opinion.

I hope that the foregoing provides you with the information you require to provide your opinion, but please do let me know if you have any queries.

Yours sincerely,

Kate McGregor
Consents Officer

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Enclosed: TKRE Consenting Regime (Table 2)
TKRE Cable Tunnel Replacement Project - Environmental Screening Report

Table 2. Consenting regime for works on the south side of the River Thames

Works	Legislation	Relevant Paragraph	Restrictions & Conditions	Comments	Consent Required	Determining Authority
Permanent new Head House	Town and Country Planning (General Permitted Development) 1995 Part 15, Class B Statutory undertakers have permitted development rights in the circumstances shown in next column.	(e) the erection on operational land* of the undertaking or a building solely for the protection of plant or machinery;	Not permitted if: building exceeds 15m in height	Works are on land within National Grid’s control and head house height will be a maximum of 10m therefore permitted development rights remain.	None	Gravesham Borough Council
Permanent new Sealing End Compound		(f) any other development carried out in, on, over or under the operational land* of the undertaking.	Not permitted if: involves the erection of a building	Works are on land within National Grid's control and Sealing end compounds are not a type of building.	None	Gravesham Borough Council
			Not permitted if: exceeds 15m in height or exceeds the height of building being replaced	Sealing End Compound height will be a maximum of 12m therefore permitted development rights remain.		
Shaft and tunnel construction		a) the installation or replacement in, on, over or under land of an electric line and <u>the construction of shafts and tunnels</u> and the installation or replacement of feeder or service pillars or transforming or switching stations or chambers reasonably	Not permitted if consists of or includes installation or replacement of an electric line to which section 37(1) of the Electricity Act 1989 applies	Section 37 only applies to above ground cables. The tunnel and shafts are on and under land. Therefore, paragraph B(a) applies.	None	Gravesham Borough Council
		Nor permitted if consists of or includes the installation or replacement at or above ground level (or under a highway used by vehicular traffic), of a	Shafts and tunnels are not classed as chambers. Cable is underground. Therefore, paragraph B(a) applies.			

Works	Legislation	Relevant Paragraph	Restrictions & Conditions	Comments	Consent Required	Determining Authority
		necessary in connection with an electric line;	chamber for housing apparatus and the chamber would exceed 29 cubic metres in capacity;			
			Condition: when replacing an existing electrical line, conditions contained in a planning permission relating to the height, design or position of the existing electric line must be complied with where they are capable of being applied to the replacement line;	Not applicable as there is currently no electric line to replace in this location.		
			Condition: when installing a temporary electric line to provide a diversion for an existing line, the temporary line must be removed within 6 months and land restored to previous condition	Not applicable as there is currently no electric line to replace in this location.		
Diversion of existing overhead line (4VG) between existing Sealing end	Electricity Act 1989, Section 37	1) an electric line shall not be installed or kept installed above ground except in accordance with a consent granted by the Secretary of State	Does not apply if: electric line as is or will be within premises in the occupation or control of the person responsible for its installation	Works are not entirely on land in National Grid's control therefore a consent under Section 37 is required. See exemption below.	See below.	Department for Energy Strategy and Net Zero

Works	Legislation	Relevant Paragraph	Restrictions & Conditions	Comments	Consent Required	Determining Authority
Compound and existing pylon (4VG041)	The OHL (Exemption) Regulations 2010	3) Section 37(1) of the Act shall not apply in relation to: c) diversions not exceeding 6 months and within 850m	Does not apply if: works are within a SSSI or European site	Works are not within a proposed SSSI or European site and paragraph 3c likely to be abided by.	Section 37 Consent unlikely.	
Replacement of existing overhead line so connects to new Sealing End Compound	Electricity Act 1989, Section 37	1) an electric line shall not be installed or kept installed above ground except in accordance with a consent granted by the Secretary of State	Does not apply if: electric line as is or will be within premises in the occupation or control of the person responsible for its installation	Works are not entirely on land in National Grid's control therefore a consent under Section 37 is required. See exemption below.	See below.	Department for Energy Strategy and Net Zero
	The OHL (Exemption) Regulations 2010	3) Section 37(1) of the Act shall not apply in relation to: e) line replacements	Does not apply if: 4 a) voltage differs from existing b) conflicts with existing planning conditions c) replacement support is not more than 10% taller than existing d) no further than 60m from existing overhead line e) existing must be removed within 12 months	All these conditions will be abided by and so this exemption can be used. See below.	Section 37 Consent (EIA screening dependent)	

Works	Legislation	Relevant Paragraph	Restrictions & Conditions	Comments	Consent Required	Determining Authority
			Does not apply if: 5 a) line is in a different position and it is determined that there will be significant adverse environmental impacts.	To be determined through EIA screening exercise.		
Construction compound	Town and Country Planning (General Permitted Development) 1995 Part 4	A. The provision on land of buildings, moveable structures, works, plant or machinery required temporarily in connection with and for the duration of operations being or to be carried out on, in, under or over that land or on land adjoining that land.	Not permitted if planning permission not granted	Works will not go ahead without necessary permissions	None	Thurrock Council
			Condition: a) building, structure, works, plant or machinery permitted by Class A is removed, and	This condition will be abided by.		
			Condition: (b) any adjoining land on which development permitted by Class A has been carried out is, as soon as reasonably practicable, reinstated to its condition before that development was carried out	This condition will be abided by.		

* **Operational land** can broadly be defined as land used by a statutory undertaker for the purpose of carrying on its undertaking and the land is which is held is done so for that purpose. It is defined by Sections 263 and 264 of the Town and Country Planning Act 1990