



Energy Infrastructure Planning Policy  
Department for Energy Security and Net  
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**Our ref:** NPS Consultation 2025  
**Date:** 29 May 2025  
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Dear Sir/Madam,

**Response of East Suffolk Council to Planning for New Energy Infrastructure: 2025 Revisions to National Policy Statements EN-1, EN-3, and EN-5**

East Suffolk Council (ESC) welcomes the opportunity to comment on the draft energy National Policy Statements (NPSs) EN-1, EN-3, and EN-5 and has set out our responses to the questions asked below.

ESC wishes to highlight two key points relevant to the proposed NPSs.

Firstly, ESC emphasises the need for a clear and coherent relationship between the NPSs as the relevant planning policy framework for Nationally Significant Infrastructure Projects, and other national strategies, including the Centralised Strategic Network Plans (CSNPs) of particular importance for the revised NPSs. The CSNPs outputs will be of vital importance in establishing the need case for new transmission infrastructure projects, and the methodology of the CSNPs is therefore essential.

Secondly, this consultation on the revised NPSs is happening alongside the progress of the Planning and Infrastructure Bill through parliament. The NPSs consultation is open for five weeks ending in May. At the same time, the Planning and Infrastructure Bill has progressed significantly in those five weeks, particularly in respect of proposed amendments to the Bill. The Bill is brought forward by the Ministry of Housing, Communities, and Local Government, and the NPSs consultation is brought forward by the Department of Energy Security and Net Zero. ESC recognises that these are different departmental initiatives, but nonetheless the NPSs and the Bill form important constituent parts of the NSIP planning process, and they are functionally linked and interdependent. Therefore, it is imperative that both elements are aligned to deliver the infrastructure required by the Clean Power Action Plan, at the scale and pace required.

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If you would like to discuss any of the above responses further, please do not hesitate to contact me using the details above.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Martyn Fulcher', with a stylized, cursive script.

**Martyn Fulcher MRTPI**

Head of Energy Planning and Coastal Management  
East Suffolk Council

## **Consultation Questions**

### **Clean Power 2030**

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 revised NPS EN-1 clearly places Clean Power at the centre of policy, supported by the Clean Power 2030 Action plan, and emphasises that projects relevant for Clean Power 2030 can be deemed Critical National Priority (CNP), with a presumption in favour of consent. As such, it makes clear to developers which projects can be brought forward.

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

ESC is not confident updates to Critical National Priority will help encourage higher-quality applications, particularly in the broader context of NSIP reform proposed in the Planning and Infrastructure Bill and proposed amendments, discussed further in answer to question 9 and in the letter above.

While ESC welcomes the introduction of Critical National Priority for Clean Power 2030 projects in recognition of their importance to national energy strategy, ESC has previously raised and continues to stress that as designation as Critical National Priority infrastructure will outweigh residual impacts not capable of being addressed by the application of the mitigation hierarchy, it is essential that the Critical National Priority designation does not undermine the need to first avoid, reduce, mitigate, and then compensate for impacts, and to provide an appropriate level of information to support their applications from pre-application engagement onwards.

It is essential that promoters do not over-rely on identification as Critical National Priority when preparing their applications for development consent, which could result in poorly planned proposals or complacency in the design and delivery of projects. Effective scrutiny of plan making and preparation will be essential.

ESC has identified two matters in relation to CNP that would benefit from clarification.

ESC notes that paragraph 4.2.24 of EN-1 states that “measures that result in a material reduction in generation capacity for CNP infrastructure are unlikely to be considered to be appropriate as mitigation.” No qualification is provided in EN-1 on circumstances in which these measures would be considered appropriate as mitigation.

Paragraph 4.2.28 of EN-1 states that need for project would outweigh residual impacts “in all but the most exceptional cases”. Further detail or guidance on what would be considered an “exceptional” case would be welcomed.

## **Onshore Wind**

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

ESC notes that 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”.

ESC considers “clearly outweighed by the urgent need” very strong wording and would not wish to see developers downgrade assessment of potential impacts on designated landscapes as a consequence, particularly given the increased duty to further the purposes of designated landscapes in the Levelling-Up and Regeneration Act in 2023. As such, ESC welcomes the new wording in paragraph 2.12.293 goes on to state 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.”

Paragraph 2.12.8 of NPS EN-3 states the primary factor in identifying potential sites for onshore wind generation is predicted wind resource/wind speed. Paragraph 2.12.14 goes on to say, “to maximise existing grid infrastructure, minimise disruption to existing local community infrastructure, biodiversity or archaeological sites and reduce overall costs, applicants may choose a site based on available grid export capacity.” ESC questions what this paragraph means and is not clear on how choosing a site based on available grid export capacity has bearing on minimising disruption to local community infrastructure, biodiversity, archaeological sites, or reducing overall costs, and how grid export capacity relates to site identification based on wind speed. Clarity on primacy of these considerations is welcomed.

ESC notes that the term ‘community infrastructure’ is used in NPS EN-5 but is not defined.

Paragraph 2.12.16 of NPS EN-3 states “appropriate distances should be maintained between wind turbines and sensitive receptors”, and paragraph 2.12.17 states “The main impact issues that determine the acceptable separation distances are visual, effects on the setting of heritage assets,

and noise.” ESC considers appropriate distances fairly open wording, and while ESC appreciates assessments will need to be made on a case-by-case basis, ESC is not confident this wording appropriately safeguards the amenity of residential receptors.

## **Offshore Wind**

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

ESC welcomes the recognition of challenges in delivering compensatory measures for offshore wind farms and has raised this previously in NPS consultation responses<sup>1</sup>, now included in paragraph 2.8.7 of NPS EN-3.

## **Electricity Networks Infrastructure**

### *Endorsement of the Centralised Strategic Network Plan*

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?

ESC recognises the need for significant overhaul of the electricity transmission system to support the clean electricity generation transition and the need to accelerate consenting timescales to meet the Clean Power 2030 ambitions. ESC also welcomes the steps taken towards strategic and spatial energy planning, through the formation of NESO, and the preparation of plans including Regional Energy Strategic Plans and Centralised Strategic Network Plans. However, on the basis of what is known and understood about the preparation of the Centralised Strategic Network Plans, ESC cannot determine whether it agrees with the proposal or not, for reasons detailed below.

6. Do you have any comments on the proposal?

Paragraph 3.3.78 of EN-1 states that where a project is assessed and justified through a Centralised Strategic Network Plan (CSNP), “the Secretary of State will take the need for that project as having been established and not question the need for that project during the consenting process”. Endorsement through the NPS would mean that the need case and technology type for projects that adhere to the recommendations of the CSNP do not have to be examined in the consenting process. It goes on to clarify that this means that alternatives to the project do not need to be considered in the consenting process.

CSNPs will therefore be the central plan in establishing the need case for projects. It is understood

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<sup>1</sup> ESC Response to the 2023 consultation on the NPSs: [ESC-Response-to-Draft-Energy-National-Policy-Statements-Consultation.pdf](#)

they will look for a 25-year period, to be reviewed on a three-year cycle. NSIPs and proposals develop in a highly dynamic environment, and changes can happen quickly and indeed unpredictably, which can have consequences in a context where published adopted CSNPs are central.

While ESC notes that paragraph 2.8.6 of NPS EN-5 states “On occasion projects may submit a change control request to NESO. If the request is accepted by NESO, network designs may be amended and approved through an appropriate change control process. This process will assess the request against the same strategic network planning objectives of the CSNP. Changes that are accepted by NESO and do not deviate from the CSNP SEA will have the same status in these NPSs as those brought forward under the full CSNP process”, ESC would question how quickly the CSNPs, and therefore the need case, can respond to economic, environmental, commercial, and other changing elements which could alter the CSNP and subsequent need case. For example, if the need case for a proposed project is based on a consented project that is not built or is substantially delayed, what this means for the need case for the emerging project.

Relevant to this, paragraph 3.3.79 states “Where the CSNP endorses the need case for new transmission infrastructure, this NPS also endorses the work undertaken in the CSNP to assess a range of possible options to address network needs, and that these options have already been assessed on the grounds of environmental impacts, community impacts, economic cost, deliverability and operability criteria. This NPS therefore accepts the proposed strategic parameters for proposed network infrastructure outlined in the CSNP. This could mean, but is not limited to, the choice of onshore overhead High Voltage Alternating Current lines, or the use of offshore High Voltage Direct Current cabling. Where a strategic solution is proposed in the CSNP, the choice of strategic solution does not need to be re-examined, and alternatives to that choice do not need to be considered again in the consenting process. The choice of strategic solution should be consistent with applicable sections of EN-1 and EN-5, for example with regards to undergrounding in certain designated areas”.

The first CSNPs are expected to be published in 2026. The methodology used for CSNP is therefore critical. As the CSNPs will establish need and obviate the requirement to discuss need case and alternatives post-submission (noting that paragraph 3.3.79 specifically references the choice of onshore overhead power lines), it is essential for the process of the development of CSNPs to be transparent and accessible. While the CSNP methodology is outside the remit of the current consultation, it is nonetheless essential in the wider context the NPSs will be applied in, given the clear functional relationship between the outputs of the CSNPs and the need case as presented in applications for Development Consent.

#### *Reference to the Electricity Transmission Design Principles*

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?

Yes, subject to the comments on transitional arrangements below.

8. Do you have any comments on this proposal?

The ETDP have not yet been published, so comments are based on the principle of additional principles and may alter when NESO publishes and consults on the ETDP.

The addition of ETDP alongside the existing Holford (guidelines for the routeing of new high voltage overhead transmission lines) and Horlock Rules (substations and the environment: guidelines on siting and design) may add clarity to the decision-making process for communities.

Paragraph 2.9.20 and supporting footnote 24 state that developers should have regard to the ETDP as relevant once they are published, alongside the existing Holford and Horlock rules, and that projects who have not been through strategic front end design prior to publication of the ETDP should have regard to them.

ESC questions if this is the most suitable transitional approach. ESC would wish to see developers have regard for the ETDP at the earliest possible design stage following their publication, so the principles will be able to influence and shape to some degree the later stages of the design process, even if they were not published in time to shape the strategic front end design stage.

### **Other comments**

9. Do you have any comments on any aspect of the draft energy NPSs or their associated documents not covered by the previous questions?

Yes, set out below.

### **Overarching Comments**

ESC recognises the importance of having an up-to-date suite of National Policy Statements to guide the assessment and determination of proposals for Nationally Significant Infrastructure Projects (NSIPs) but wishes to highlight that they are one element of a broader picture in infrastructure consenting. The Planning and Infrastructure Bill, being brought forward by the Ministry of Housing, Communities, and Local Government, proposes significant reform to the Planning Act 2008, which governs the Development Consent Order process for NSIPs. Paragraph 4.2.5 of revised NPS EN-1 states only that “government is proposing amendments to infrastructure planning, including to the Planning Act process”, and no further detail on the amendments is provided. While the

timescales for adoption of the revised NPS is unknown and the Planning and Infrastructure Bill still has a substantial way to go before becoming an Act, it is essential that the revised NPSs relate to the Planning and Infrastructure Bill and avoid conflict between them.

Extensive new wording is introduced into NPS EN-1 from paragraph 4.2.6 on pre-application, referencing the current Planning Act requirements. It seems likely this section would soon be made out of date by proposed amendments to the Planning and Infrastructure Bill, and the clear narrative from government on the intention to remove of statutory pre-application consultation.

Amendments introduced to the Planning and Infrastructure Bill at the committee stage propose removing sections of the Planning Act 2008 relevant to pre-application consultation; section 41 (the duty to consult), section 47 (duty to consult local community), and section 49 (duty to take account of responses to consultation and publicity). Government currently proposes instead to introduce guidance for developers on undertaking pre-application consultation, with no statutory requirement upon them.

The proposed draft NPS EN-1 includes new paragraphs on pre-application consultation, notably section 4.2.6 of NPS EN-1. It references requirements for consultation prior to the application for Development Consent, including referencing the existing duty to consult the local community. Section 4.2.9 of revised NPS EN-1 covers additional non-statutory consultation and provides guidance on the purpose and focus of these for applicants, including encouraging early and maintained engagement with relevant statutory consultees to ensure issues are identified and addressed as early as possible.

Paragraph 4.2.11 refers existing MHCLG and Planning Inspectorate guidance on the pre-application process, and states “meet the Clean Energy challenge applicants must engage with and take note of this guidance and advice.” ESC wishes to understand how this will be tested and how applicants will demonstrate they have taken note of and applied the guidance, and how the revised NPS will relate to the new pre-application guidance to come forward alongside the Planning and Infrastructure Bill. Clarity on consequences for applicants who do not engage with or take note of this guidance would be welcomed.

It is essential that government takes a holistic view to NSIP reform, looking at the NSIP and DCO process as a whole and understanding the interactions between constituent parts, to meet the ambitions of the Clean Power Action Plan and achieve the pace of planning delivery needed. While ESC recognises these are two different workstreams, the revised NPS should seek to avoid introducing wording on pre-application consultation which conflicts with the Planning and Infrastructure Bill. Ensuring alignment between these elements will be essential to delivering infrastructure at the necessary scale, pace, and geographic distribution required by the Clean Action Power Plan.



Section 4.2.15 of EN-1 introduces new wording of “Applicants should seek to take a standard approach to issues like compulsory purchase powers, the discharge of requirements and arbitration”. There is no further guidance in the NPS or signposted to elsewhere on what this standard approach should look like, particularly in relation to discharge of requirements. ESC has significant experience in engaging with Development Consent Order drafting and administering the discharge of requirement process and has experienced differing views in regard to the discharge of requirement process, notably in relation to timescales for determination and the fees entailed. ESC can see the merit in seeking to standardise this process but would wish to ensure the local planning authority is appropriately resourced and supported in doing so.

ESC welcomes the recognition in paragraph 4.2.14 of EN-1 that “with the increasing number of development consent applications coming forward, this will put pressure on existing systems within the NSIP regime. It’s therefore important that all parts of the system work together with a common purpose to ensure that the impacts of projects are properly assessed and mitigated so that good quality schemes are consented”. For all parts of the system to work together as the NPS intends, it is vital that statutory consultees, including local planning authorities, are appropriately resourced to be able to engage, to inform, and shape proposals. Once more, this wording in the NPS is interdependent with proposals and amendments coming forward in the Planning and Infrastructure Bill regarding the removal of statutory consultation, and ESC stresses the need for alignment between the two.

ESC notes that paragraph 4.2.8 states “where it is required by law at the pre-application consultation stage, preliminary environmental information should be provided. This information should be enough for statutory advisors to develop an informed view of the likely significant environmental effects of the development”.

The Planning and Infrastructure Bill, and amendments to it, propose the removal of statutory consultation and therefore the removal of the requirement to publish preliminary environmental information. ESC considers that should these measures be adopted, the NPS should still encourage applicants to share preliminary environmental information with key stakeholders, including the Local Planning Authority, at the pre-application stage, to allow them to inform and shape the proposals at this stage. ESC welcomes the introduction of new wording in paragraph 4.2.14 recognising this value; “Applicants should see their relationships with LPAs and statutory advisors as a valuable collaborative one”.

#### NPS EN-1: Criteria for Good Design for Energy Infrastructure

Paragraph 4.7.6 states “whilst the applicant may not have any or very limited choice in the physical appearance of some energy infrastructure, there may be opportunities for the applicant to demonstrate good design in terms of siting relative to existing landscape character, landform and vegetation”. ESC considers this new wording does not go far enough in seeking good design. Good

design can be sought beyond considering siting relevant to existing landscape elements, even where technological constraints are a key consideration.

This wording does not also place any requirement on applications to actively seek good design, and where not possible, for example due to technological considerations, justify why they cannot pursue it. ESC would welcome additional wording to address this.