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**Application by National Grid Electricity Transmission (NGET) for a  
Development Consent Order (DCO) for the proposed Norwich to Tilbury  
Project (Application Reference: EN020027)**

**Chelmsford City Council Host Authority reference** [REDACTED]

**Local Impact Report**

**26<sup>th</sup> February 2026**

## Contents

Summary.....	5
1. Introduction and Terms of reference.....	7
2. Description of Site and Surroundings.....	10
3. Details of Project .....	13
4. Planning History .....	19
5. Relevant National and Local Policy.....	20
6. Overarching position on Norwich to Tilbury.....	25
7. Principle of Development, onshore route and Project need case.....	27
8. Other Key issues and likely significant effects.....	31
9. Mitigation and compensation.....	111
10. Draft Development Consent Order.....	116
11. Conclusions.....	121

## **Glossary of acronyms and abbreviations**

AONB – Area of Outstanding Natural Beauty  
ACL - Agricultural Land Classification  
AIL - Abnormal Indivisible Loads  
ANGSt - Accessible Natural Green Space Standards  
AW – Ancient Woodland  
BEIS – Department of Business, Energy and Industrial Strategy  
BMV – Best and Most Versatile  
BNG – Biodiversity Net Gain  
BPM – Best Practicable Means  
B2T – Bramford to Twinstead  
CIT – Carbon Interface Tool  
CO2e – Carbon Dioxide Emissions  
CSE Compound – Cable Sealing End Compound  
CEMP – Construction Environmental Management Plan  
CFA - Climate Focus Area  
CoCP – Code of Construction Practice  
DEFRA - Department for Environment, Food and Rural Affairs  
DLUHC – Department for Levelling Up, Housing and Communities  
DCO – Development Consent Order  
dDCO – Draft Development Consent Order  
EA – Environment Agency  
ECAC - Essex Climate Action Commission  
ECC – Essex County Council  
EIA – Environmental Impact Assessment  
ES – Environmental Statement  
ECAC - Essex Climate Action Commission  
ExA – Examining Authority  
FRA – Flood Risk Assessment  
GLENRS - Greater Essex Local Nature Recovery Strategy  
GHG – Greenhouse Gas Emissions  
GI – Green Infrastructure  
GSP – Grid Supply Point  
HA – Hectares  
IEMA – Institute of Environmental Management and Assessment  
IPC – Infrastructure Planning Commission  
LEMP – Landscape and Ecological Management Plan  
LIR – Local Impact Report  
LLFA – Lead Local Flood Authority  
LOD – Limits of Deviation  
LNP - Local Nature Partnership  
LPA – Local Planning Authority  
LWS - Local Wildlife Site  
LVIA – Landscape and Visual Impact Assessment  
MAR – Minerals Assessment Reports  
MLP - Minerals Local Plan  
MRA – Minerals Resource Assessment  
MSA – Minerals Safeguarding Assessment  
MWPA – Minerals and Waste Planning Authority  
NGET – National Grid Electricity Transmission

NPPF – National Planning Policy Framework  
NPS – National Policy Statement  
NPSNN – National Policy Statement for National Networks  
NSR – Noise Sensitive Receptors  
OS - Ordnance Survey  
OWSI – Outline Written Scheme of Investigation  
PA – Planning Act  
PFRA - Essex Preliminary Flood Risk Assessment  
PINS – Planning Inspectorate  
PWS - Private Water Supplies  
PRoW – Public Right of Way  
REAC - Register of Environmental Actions and Commitments  
SCC – Suffolk County Council  
SoCG – Statement of Common Ground  
SoS - Secretary of State  
SSSI – Site of Special Scientific Interest  
SVPA - Stour Valley Project Area  
SuDS – Sustainable Drainage System  
SWMP – Surface Water Management Plan  
TA – Transport Assessment  
TCPA – Town and Country Planning Act

## Summary

Chelmsford City Council (CCC) declared a Climate and Ecological Emergency (CEE) in 2019. CCC supports the transition towards a low or zero carbon economy to address the impact of climate change and improve sustainability. This includes renewable energy production where this can be appropriately located and suitably mitigated.

CCC recognises the rapidly growing need for electricity as the climate emergency requires us to help support the replacement of fossil fuels such as oil and gas as soon as possible. This does not mean however, that all proposals which may assist in reducing climate change should be approved at any cost.

CCC objects to the Norwich to Tilbury Project. Our objection is based on the following grounds:

- I) The preferred strategic option for Norwich to Tilbury remains an integrated offshore technology that minimises onshore transmission infrastructure and does not include overhead lines and pylons.
- II) CCC recognises that this option would need to be delivered at pace and without risk to national net zero, renewable energy and decarbonisation targets, and energy security.
- III) CCC consider that the presence of overhead lines and approximately 40m - 50m high pylons would be visually harmful and would result in unnecessary harm to heritage, landscape, ecology and residential amenity across the Chelmsford City Council administrative area.

CCC is supportive of well-developed, well-designed, and coordinated proposals that enable the goal of net-zero and the interim targets, as set out in the revised National Policy Statements (NPS). CCC recognise the benefit Norwich to Tilbury would deliver by helping to reinforce the National Grid, thereby facilitating the UK Government meeting its renewable energy targets.

CCC accepts that network reinforcement is needed to accommodate the expected growth in demand for electricity and the additional contracted / planned electricity generation in East Anglia and acknowledge that enhanced transmission infrastructure will play a central role in tackling climate change and in meeting Government targets in the lead up to net-zero by 2050.

CCC consider the shift towards the delivery of low carbon will only be successfully achieved if developments such as the Norwich to Tilbury Project are permitted having first taken into account the very real impacts they would have upon the natural environment, landscapes and local communities that they would be sited within. CCC recognise the timing for the Project is driven by the need for capacity in the transmission system by 2030. Yet this need should not occur at the expense of the natural environment, landscape and local communities.

The Project would comprise inappropriate development in the Green Belt and would introduce vast incongruous features of industrial character into a rural landscape, which would harmfully impact upon the landscape and historic environment. The pylons and overhead lines would be visually noticeable and prominent. Many of the effects cannot be mitigated against due to the height and scale of the Project and would be permanent.

The Project would have a very clear detrimental impact upon the Chelmsford City Council administration area. CCC is extremely disappointed at the lack of appropriate mitigation and compensation proposed.

CCC continues to productively and constructively engage with the Applicant, National Grid Electricity Submission (NGET), to secure the best possible outcomes for the local community and environment, including acceptable mitigation and compensation for all impacts; should the application for the Development Consent Order (DCO) be granted by the Secretary of State.

## 1. Introduction and terms of reference

- 1.1 This report comprises Chelmsford City Council's Local Impact Report (LIR) to the Norwich to Tilbury powerline Development Consent Order (DCO).
- 1.2 The report has been prepared in accordance with the advice and requirements set out in the Planning Act 2008 (as amended) and Nationally Significant Infrastructure Project advice pages published by the Planning Inspectorate.
- 1.3 A Local Impact Report is a report in writing giving details of the likely impact of the proposed development on the Authority's area. It should centre around whether the Local Authority considers the development would have a positive, negative or neutral effect on the area.
- 1.4 This LIR relates to the impacts of the proposed development as it affects the administrative area of Chelmsford City Council. Separate but complementary LIR's will be produced by the other Host Authorities. These are Essex County Council, Braintree District Council, Basildon Borough Council, Brentwood Borough Council, Colchester City Council, Tendring District Council, Thurrock Council, Suffolk County Council, Babergh-Mid Suffolk Councils and Norfolk County Council.
- 1.5 The Project put forward by the Applicant; National Grid Electricity Transmission (NGET) includes the following:
  - A new 400kV electricity connection of approximately 180 km in length from Norwich Main Substation to Tilbury substation via Bramford substation
  - A new EACN substation and a new Tilbury north substation
  - Approximately 159km of new overhead line supported on approximately 509 pylons, either standard steel lattice pylons (approximately 50m in height) or low height steel lattice pylons (approximately 40 metres in height) with proposed Cable sealing End (CSE) compounds or existing or proposed substations
  - Approximately 21km of 400kV of undergrounding cabling, some of which would be located through the Dedham Vale
  - Seven new Cable sealing End (CSE) compounds, modification works to connect the existing Norwich substation to the Bramford substation, new 400kV substations on the Tendring peninsula and to the south of Orsett Gold Course
  - Modifications to the existing National Grid Electricity Transmission overhead lines to facilitate the connection of the existing network into the new Tilbury North Substation to provide connection to the Tilbury Substation
  - Ancillary and/or temporary works associated with the construction of the Project
  - Third party utilities diversions and/or modifications would be required to facilitate the construction of the Project
  - Land required for environmental mitigation and Biodiversity Net Gain (BNG)
  - Land required temporarily for construction activities including working areas for construction equipment and machinery, site offices, welfare, storage and temporary construction access.
- 1.6 The LIR's primary purpose is to identify the policies in the Local Plan in so far as they are relevant to the proposed development and the extent to which the development accords with those policies.

1.7 The LIR expands upon the issues raised by CCC within its Relevant Representations dated 27<sup>th</sup> November 2025. It sets out CCC's key issues and concerns and contains a commentary of the matters CCC's wishes to be considered for examination. It includes commentary on the Applicant's approach to mitigation and identifies areas where further information is required or is outstanding.

1.8 Representations are raised on the draft Development Consent Order (DCO), which will remain under consideration throughout the examination

1.9 Topic based headings are used as a framework for the assessment of impacts and identification of key issues.

1.10 The headings are as follows:

- Introduction and Terms of reference
- Description of Site and Surroundings
- Details of Project
- Planning History
- Relevant National and Local Policy
- Overarching position on Norwich to Tilbury
- Principle of Development, onshore route and Project need case
- Other Key issues and likely significant effects
  - Effect on Green Belt, Rural Area and Green Wedge
  - Great Waltham and Little Waltham
  - Air quality
  - Ecology and Biodiversity
  - Health and Wellbeing
  - Cultural Heritage
  - Landscape and Visual Impacts
  - Noise and Vibration
  - Socio Economic, Recreational and Tourism
  - Traffic and Transport
  - Cumulative Effects
  - Other Matters
- Mitigation and compensation
- Draft Development Consent Order
- Conclusions

1.11 Although the LIR gives a brief overview of the description of the site and surroundings and a general review of the details of the Project to highlight particular features, the Applicant's Environmental Statement (ES) provides sufficient description and details of the Project.

1.12 This LIR covers areas where Chelmsford City Council (CCC) has a statutory function or holds expertise. CCC defers to the relevant Authorities including the Local Lead Flood Authority (LLFA), Essex County Council Highways Authority and the Minerals and Waste Authority regarding their comments to the Local Impact Report.

1.13 Comments on Ecology, Archaeology and Landscape and Visual effects have been prepared in consultation with Essex County Council Place Services.

1.14 A Statement of Common Ground (SoCG) is under preparation with the Applicant, and the LIR does not intend to duplicate this. However, there may be some matters of overlap. A draft of the Statement of Common Ground will be submitted at deadline one.

## 2. Description of Site and Surroundings

- 2.1 A full description of the site and surroundings is given in the Applicant's Environmental Statement. It is noted that the Applicant is using the 'Rochdale Envelope' approach to provide flexibility in the development.
- 2.2 The land falls within the administrative areas of the following Local Authorities and includes Norfolk County Council, Suffolk County Council and Essex County Council.
- South Norfolk Council
  - Mid Suffolk District Council
  - Babergh District Council
  - Colchester City Council
  - Tendring District Council
  - Braintree District Council
  - Chelmsford City Council
  - Brentwood Borough Council
  - Basildon Borough Council
  - Thurrock Council
- 2.3 The Project has been sub divided by NGET into eight geographical sections. Chelmsford falls within Sections F and G:
- Section F – Chelmsford City Council and Brentwood Borough Council
  - Section G – Basildon Borough Council and Brentwood Borough Council (and part of Chelmsford City Council administrative area)
- 2.4 This LIR focuses on the developments in Sections F and G, although CCC have engaged with the Applicant within a wider Local Authority group to ensure that advice is measured and consistent where possible.

### Description of route

- 2.5 Within Chelmsford, the Section F of the alignment continues south-west through arable fields until crossing the River Ter. At this point, the Order Limits are close to the River Ter SSSI. The Project would then continue southwest through arable fields, passing adjacent to Lyonshall Wood Ancient Woodland before passing adjacent to Sheepcotes Ancient Woodland then crossing the A131 Braintree Road.
- 2.6 The Project would continue south-west crossing the B1008, Chatham Hall Lane and the River Chelmer between Great Waltham and Little Waltham Conservation Areas. The Order Limits would interact with the Great Waltham Conservation Area and are within approximately 40 m of Langley's Historic Park and Garden.
- 2.7 The Project continues south-west past Sparrowhawk Wood Ancient Woodland, and Border Wood just south of Broad's Green. The Project would then continue south, to the west of Broomfield Hospital, before turning south-west again at Bushy Wood Ancient Woodland, located adjacent to the Order Limits.

2.8 The Project then passes south of Chignal St James and crosses the River Can. It then crosses the A1060 Roxwell Road and Roxwell Brook. From here, the Project would head south crossing the A414 Ongar Road and then Sandy Brook. The Project would head south-east, to the south of Little Oxney Green, before diverting south-west near Gable Cottages on Margaretting Road. Here the Project would interact with Writtle-Writtlepark Wood Ancient Woodland, adjacent to Writtle-James Spring Ancient Woodland, before heading south crossing Ivy Barns Lane. The Order Limits would pass between and adjacent to Bushey Wood and Osbornes Wood Ancient Woodlands, where the section would end at the A12 Ingatestone Bypass.

2.9 Section G starts on the southern side of the A12 Ingatestone Bypass, heading south-east over the B1002 at Margaretting, and crossing a railway line linking Stratford and Chelmsford. It would continue south-east past Spring Wood, crossing the River Wid, before heading south and crossing Stock Brook.

### **Geographical features and designations**

2.10 The Project is located primarily on agricultural farmland under arable production (mainly Grade 3). In some places including Great Waltham and Little Waltham, the proposed route would pass clusters of urban and rural settlements.

2.11 The landform varies, but overall, the topography is predominantly flat and low lying with undulation in places. The Project would cross several areas of flood risk (Flood Zones 2 and 3).

2.12 Ecological features include Sites of Special Scientific Interest (SSSI), Local Nature Reserves, Tree Preservation Orders and Ancient Woodland, including:

- Sparrowhawk Wood Ancient Woodland
- Border Wood
- Bushy Wood Ancient Woodland
- Writtle-Writtlepark Wood Ancient Woodland
- Writtle-James Spring Ancient Woodland
- Osbornes Wood Ancient Woodland
- Bushey Wood Ancient Woodland

2.13 Heritage features include Conservation Areas, listed buildings and Registered Parks and Gardens including Langley's historic park and garden in Great Waltham and Hylands House, Writtle.

2.14 The River Can, Roxwell Brook, A roads including the A1060, A414, A12 and B1002 would be affected by the proposal as well as railway lines.

2.15 There are a number of settlements within the Order Limits. These include:

- Great Leighs (including Little Leighs)
- Great Waltham
- Little Waltham
- Broomfield
- Chelmsford
- Chignal St James
- Roxwell

- Highwood
- Writtle
- Margaretting
- Stock

2.16 Part of the site falls within the Metropolitan Green Belt. Construction access routes would be within the Green Wedge. The remainder of the Project would fall within the Rural Area Beyond the Green Belt.

2.17 The Project falls within a number of Landscape Character Areas and the value, sensitivity and sensitive of these are discussed in the Landscape and Visual section of this LIR.

2.18 Further detail on the specific affected features is provided within the Applicant's ES and under CCC's commentary to the relevant topic headings.

### 3. Details of the Project

3.1 Within the Chelmsford administrative area, the Project would include the construction of pylons and overhead lines of approximately 50 metres high, with lower height (40m) pylons proposed between Great Waltham and Little Waltham. The Project would include the following elements:

- A new 400kV electricity connection.
- Cable Sealing End (CSE) compounds,
- Third party utilities diversions and/or modifications.
- Land required for environmental mitigation and Biodiversity Net Gain (BNG)
- Ancillary or temporary works associated with the construction of the Project.
- Land would be required temporarily for construction activities including working areas for construction equipment and machinery, site offices, welfare, storage and temporary construction access.

3.2 Further details of the Project are included within Chapter 4: Project Description (document reference 6.4) and shown on Figure 4.1: Proposed Project Design (document reference 6.4.F1) and Figure 4.2: Proposed Project Design – Permanent Features (document reference 6.4.F2).

#### Draft Order Limits and Limits of Deviation

3.3 The Order Limits are defined as the maximum extent of land within which the Project, as defined within the ES (Volume 6 of the DCO application), may be carried out, and include both permanent and temporary land required to build and operate (and maintain) the Project.

3.4 The Order Limits include Limits of Deviation (LoD) which represent the maximum deviation for permanent features, such as the overhead line, pylons, CSE compounds, new substations and underground cables. This allows for adjustment to the final positioning of Project features to avoid localised constraints or unknown or unforeseeable issues that may arise.

3.5 The proposed Order Limits are generally 100m wide, i.e. 50m either side of the centre line of the proposed overhead line.

3.6 The vertical Limit of Deviation (LoD) would be to any extent not exceeding 6m upwards from the pylon design heights presented within the Works Plans (document reference 2.3). The reason is to allow for variations in heights between pylons to allow extra height to clear existing features, maintaining electrical clearance to the ground.

3.7 The lateral LoD of 50m either side of centreline and the longitudinal LoD would allow flexibility to move pylon positions in any direction for unforeseen circumstances, such as poor ground conditions or archaeological finds, and to cater for maximum conductor (overhead line) swing. Commitments to restrict the LoD for specific pylon locations are included within the Outline CoCP (document reference 7.2).

3.8 In Chelmsford, at Lyonshall Minerals Site east of the A131 and to the west of Lyonshall Wood Ancient Woodland, the LoD and Order Limits have been widened between TB128 and TB133 to allow flexibility to change the alignment to reduce effects on the Lyonshall Minerals Site, should the Project be progressed.

3.9 At the Chelmsford Bypass east of the A131 and to the west of Lyonshall Wood Ancient Woodland, the Order Limits have been widened to facilitate an alternative haul road off the proposed Chelmsford Bypass new roundabout, should the Chelmsford Bypass progress, which would sever the currently proposed construction haul road that follows the overhead line alignment.

3.10 The pylons would be typically spaced at 330 metres, subject to site constraints.

### **Lower height pylons**

3.11 Lower lattice height pylons up to 40 metres in height are proposed between pylons TB136 to TB142, which would be sited between Great Waltham and Little Waltham.

3.12 These would have only two cross arms as opposed to three on a standard lattice pylon, thus reducing their height by approximately 10m (to approximately 40m) but widening them by from 20 metres to approximately 32 m (12 metres).

3.13 After consideration of feedback during consultations in 2025, NGET seek flexibility within the Order Limits and LoD to revert to standard lattice pylons at TB140, TB141 and TB142. This may include removing the need for one of the three pylons and slightly changing the location of the remaining two pylons within the LoD.

### **Construction**

3.14 Should the DCO be granted, it is understood that construction of the Project would commence in 2027 and continue for four years until 2031 (including demobilisation).

3.15 Prior to the grant of DCO consent, several pre-construction environmental surveys and pre-commencement operations could take place following the grant of DCO consent and in advance of construction, including:

- Engineering investigations and surveys
- Environmental (including archaeological) investigations and monitoring
- Surveys and monitoring investigations associated with assessing ground conditions
- Diversion and laying of services, protection works comprising utilities protection works or fencing and protection slabs
- Site clearance
- Environmental mitigation measures
- Remediation associated with contamination or other adverse ground conditions
- Site set up works associated with the establishment of construction compounds and temporary laydown areas
- Temporary accesses
- Erection of temporary enclosures or temporary demarcation fencing marking out site boundaries and the temporary display of site notices or advertisements

### **Construction working hours**

3.16 NGET propose the following construction working hours as set out in Requirement 6 of the draft DCO:

- Monday to Friday: 07:00 to 19:00

- Saturdays, Sundays, Bank Holidays and other public holidays: 07:00 to 17:00.

3.17 NGET state that no percussive piling works would take place outside of the hours of 07:00 to 19:00 Monday to Friday and 07:00 to 17:00 on Saturdays.

3.18 Unless otherwise agreed with the Local Highway Authority, no Heavy Good Vehicle (HGV) deliveries would be made to site outside of the hours of 07:00 to 19:00 Monday to Friday and 07:00 to 17:00 on Saturdays.

3.19 The following operations are identified as may take place outside the core working hours:

- Trenchless crossing operations including at landfalls and beneath highways, railway lines, woodlands, nature reserves, Sites of Special Scientific Interest or watercourses
- The installation and removal of conductors, pilot wires and associated protective netting (included but not limited to) across highways, railway lines or watercourses
- The jointing of underground cables
- The continuation of any work activity commenced during the core working hours to a point where they can securely and or safely be paused
- Any highway works requested by the Local Highway Authority to be undertaken on a Saturday or Sunday or outside the core working hours
- The testing or commissioning of any electrical plant installed as part of the authorised development including undertaking of any identified corrective activities
- The completion of works delayed or held up by severe weather conditions which disrupted or interrupted normal construction activities
- Activity necessary in the instance of an emergency where there is a risk to persons or property
- Security monitoring
- Non-intrusive surveys
- Intrusive surveys
- Oil processing of transformers or reactors in substation sites
- Delivery to the transmission works of abnormal indivisible loads and any highway works requested by the Local Highway Authority to be undertaken outside the core working hours
- Mechanical and electrical installation works within buildings once erected and enclosed.

3.20 It is understood the core working hours exclude:

- Start up and close down activities up to one hour either side of the core working

3.21 NGET caveat that the severe weather conditions referred to means any weather which prevents work from taking place during the core working hours by reason of physical incapacity (whether for reasons of visibility, ground conditions, power availability, site access or otherwise) or being contrary to safe working practices.

3.22 NGET confirm there is no intention for night working on the Project as standard. However, there would be occasions where night working is required. There is also the potential for the trenchless crossing works to be undertaken at night. Parts of the trenchless crossing operations require continuous working to achieve completion of the crossing. Some road works may also need to be undertaken at night to reduce effects on local traffic.

### **Construction work force**

3.23 NGET estimate over the four-year construction phase, there would be a maximum peak day where approximately 1,720 Full Time Equivalent (FTE) employees would be working on the Project. Employees would be spread across various work sites along the Project.

3.24 The majority of workers would be trained specialists, with approximately 10% sourced from local labour markets.

### **Public Rights of Way (PRoW)**

3.25 A number of Public Rights of Way (PRoW) would be affected by the construction of the Project. NGET state that discussions with PRoW officers have been held to discuss the management of Prow's, including managing, diverting and/or temporarily closing Prow's.

### **Construction compounds and laydown areas**

3.26 Within Chelmsford, temporary construction compounds are proposed at:

- Off Braintree Road, near TB134, Chelmsford (TB-Main) - Main Works compound (Overhead Line)
- Land east of A131, near Sheepcotes Wood (TB-CC07) - Secondary (cable) and CSE Compound)
- PSB39, east of Cole Hill (PSC-C1) - 132 kV overhead line mitigation works compound
- Ivy Barns Lane, near Margaretting, Essex, Highway mitigation construction compound
- Church Lane, near Margaretting, Essex Highway mitigation construction compound

3.27 A number of temporary construction laydown areas would also be required. These would be predominantly located at the site access points (or bellmouths) where the Primary Access Routes (PARs) meet the Order Limits

3.28 The construction laydown areas would store stone and other materials to facilitate the construction of the Project (predominantly for the haul roads). Material storage would be needed for the first 12 months of construction and would likely store material to a maximum of 4m in height at any one time. It is assumed that laydown areas would generally be stripped of topsoil which would be stored appropriately and typically surfaced with stone chippings over geogrid. They would be reinstated to their former condition following their use.

3.29 Site staff welfare units would be required at strategically placed locations. In addition, NGET advise materials may be temporarily placed adjacent to any temporary construction areas during construction, for example pylon components before being erected.

### **Vegetation clearance**

3.30 An almost continuous haul road, accessed from temporary access points would be installed along the entire length of the alignment. This would be typically 6 metres wide, widening to 8 metres with passing places and passing bays at intervals of approximately 200 metres.

3.31 Vegetation clearance for the construction of the haul road and accesses would comprise:

- A typical 12m swathe of removed vegetation (including hedgerows), allowing for up to 8m wide haul roads and 2m either side to allow for drainage

- A further 4.5m either side of the 12m swathe would be potentially affected, which includes LoD. Up to 21m of vegetation falls within the potentially affected category

3.32 NGET advise for overhead line haul roads the Project would seek to reduce vegetation clearance to a 10m swathe, allowing for 6m wide haul roads and 2m either side for drainage. Passing places would seek to avoid hedgerow crossings, though in some instances NGET advise this may not be practicable due to visibility/health and safety concerns. At a worst-case it is assumed a 12m swathe would be removed.

### **Overhead line**

3.33 Vegetation clearance would be required for the siting of the proposed pylons and overhead lines. The working areas around each new pylon would be cleared of vegetation and fenced appropriately. Access to each pylon location would be installed. Temporary appropriate technology / material would be required adjacent to each new pylon location, on which to place plant such as cranes and piling rigs. The stone working areas would typically be 60m x 60m (or 70m x 70m for angle/terminal/low-height suspension structures and 80m x 80m for low-height tension structures). Materials would be brought to site on HGVs and would include the steelwork for the pylons and the conductors (i.e. cabling) wrapped around large drums. The base of the pylons would involve the excavation of the soil. Piling (which may include percussive) would be required at some pylon locations, subject to the ground conditions.

### **Full height pylons**

3.34 A 40m wide swathe of vegetation would be required to be removed to allow for the construction and operation (and maintenance) of the overhead line (to include all physical infringements to conductor, including conductor swing 20m either side of each overhead line centreline).

3.35 An additional up to 8m of vegetation either side of the 40m may need be managed during construction and operation (and maintenance) to allow for electrical clearance from the conductor to be maintained (assumes a generalised allowance of 0.5m growth per year over a five-year period). A further up to 22m of vegetation either side of the 8m would be potentially affected, which includes allowances for design flexibility as per the proposed lateral LoD vegetation unaffected: Vegetation beyond the 22m would be unaffected.

### **Low height pylons (Great Waltham and Little Waltham)**

3.36 In locations where low height pylons are proposed (at TB136 to TB143), the values are increased to a 51m wide swathe of vegetation removed to allow for the construction and operation (and maintenance) of the overhead line (to include all physical infringements to conductor, including a conductor swing of 25.5m either side of each overhead line centreline).

3.37 An additional up to 16m of vegetation either side of the 51m may need to be managed during construction and operation (and maintenance) to allow for electrical clearance from the conductor to be maintained (assuming a generalised allowance of 0.5m growth per year over a five-year period). A further up to 16.5m of vegetation either side of the 16m would be potentially affected, which includes allowances for design flexibility as per the proposed lateral LoD

3.38 Vegetation beyond the 16.5m would be unaffected.

### **Veteran trees and hedgerows**

3.39 In respect of veteran trees and other higher quality trees NGET refer measures set out in arboricultural surveys and a desk study.

3.40 It is understood that hedgerows beneath the overhead line conductors would be retained in situ. Hedgerow management may be required to meet overhead line electrical clearances (dependent on the hedgerow height) and a temporary 3m section of hedgerow may require cutting to stump to facilitate the stringing of the pylons (pulling through of the bond wire). Any hedgerow within a pylon footprint would require permanent removal and any hedgerow within a working area may require temporary removal.

### **UKPN and other works**

3.41 Works relating to works to remove, underground and divert existing low voltage/11 kV/33 kV and Openreach wooden pole UKPN infrastructure along the overhead line alignment are detailed in NGET's description of development. It is understood that the works would be similar to those relating to the 400kV works, but at a smaller scale. The works include:

- 47 Openreach mitigation designs
- Five UKPN low voltage mitigation designs
- 89 UKPN 11 kV mitigation designs
- 21 UKPN 33 kV mitigation designs (two of which are steel lattice pylon overhead lines).

### **Operation**

3.42 Operationally it is understood that operational and maintenance activity would require a limited workforce. During operation (and maintenance), NGET would require infrequent access to ensure the operational Project is appropriately surveyed, assessed, and maintained. Access would typically be made by foot, 4x4 or tractor and trailer.

### **Decommissioning**

3.43 There are currently no plans to decommission the Project.

## **4. Planning History**

- 4.1 There is no relevant planning history relating to the Norwich to Tilbury Project.
- 4.2 A scoping opinion was adopted by the Secretary of State on 10<sup>th</sup> December 2022.
- 4.3 In accordance with guidance, a Preliminary Environmental Information Report (PEIR) was prepared and consulted on 10<sup>th</sup> April 2024.
- 4.4 Further consultations were undertaken between January and April 2025.

## 5. Relevant National and Local Policy

- 5.1 The Project is defined as a Nationally Significant Infrastructure Project (NSIP), under S14(1)(b) and S16 of the Planning Act 2008, and as amended by the Planning Act 2008 (Nationally Significant Infrastructure Projects) (Electric Lines) Order 2013. It involves the installation of a new electric line above ground of more than 2km, which would operate at 400kV in England.
- 5.2 The grant of development consent is made through the making of a Development Consent Order (DCO) under the Planning Act 2008. The DCO includes a range of consents and powers, some of which are not relevant to planning.
- 5.3 In determining a DCO, s.104 (2) of the Planning Act (PA) 2008, requires the Secretary of State (SoS) to have regard to the following:
- a) any national policy statement which has effect in relation to the development
  - b) the appropriate marine policy documents
  - c) any local impact report
  - d) any matters prescribed in relation to development of the description to which the application relates
  - e) any other matters considered both important and relevant

### National policy

#### National Policy Statements

- 5.4 The overarching National Policy Statement (NPS) for Energy is known as the National Policy Statement for Energy (EN-1), published in 2024. This sets out the UK Government's commitment to increasing renewable generation capacity and recognises that in the short to medium term, much of the new capacity is likely to come from onshore and offshore wind.
- 5.5 NPS EN-1 should be read in conjunction with the technology specific NPS known as the National Policy Statement for Electricity Networks Infrastructure (EN-5), published in 2024. This sets out the Government's policy for electricity transmission networks in conjunction with EN-1. The policy statement sets out the general principles that should be applied in the assessment of development consent application across the range of energy technologies.
- 5.6 NPS EN-3, known as National Policy Statement for Renewable Energy deals with Renewable Energy proposals.
- 5.7 The Government is reviewing the National Policy Statements and undertook consultation on changes to EN-1, EN-3 and EN-5 between April and May 2025.
- 5.8 At the time of writing, the current suite of NPS's are relevant to the Project. Under transitional arrangements these should have effect for the purposes of the Planning Act 2008. In January 2026, there were newer versions of EN-1 and EN-5 published. The Rule 6 letter dated 13<sup>th</sup> January 2026 confirmed that the November 2023 versions of the NPS are those which are to be considered for this application, owing to the application being submitted for examination prior to the full implementation of the newer December 2025 versions. This follows Government guidance.

5.9 The Rule 6 letter confirms that the transition provisions set out in Section 1.6 of NPS EN-1 (December 2025) apply to the application as it was accepted prior to publication of the revised policy. It also confirms that the updated NPS are capable of being important and relevant considerations in the decision-making process and will be referred to during the examination where relevant.

5.10 CCC's approach will be to refer to the 2023 NPS's but will give an overview of any differences in the 2025 NPS versions as appropriate.

### **The Electricity Act 1989**

5.11 The Electricity Act 1989 at Section 9(2) places general duties on National Grid as a licence holder 'to develop and maintain an efficient, co-ordinated and economical system of electricity transmission...'.

5.12 S38 and Schedule 9 of the Electricity Act 1989 require National Grid, when formulating proposals for new lines and other works, to: 'have regard to the desirability of preserving natural beauty, of conserving flora, fauna and geological or physiographical features of special interest and of protecting sites, buildings and objects of architectural, historic or archaeological interest; and shall do what [it] reasonably can to mitigate any effect which the proposals would have on the natural beauty of the countryside or on any such flora, fauna, features, sites, buildings or objects'.

### **The Climate Change Act**

5.13 The Climate Change Act 2008 forms the basis for the UK's approach to tackling and responding to climate change. It requires that emissions of carbon dioxide and other greenhouse gases are reduced and that climate change risks are adapted to. The Act also establishes the framework to deliver on these requirements.

5.14 Through the Climate Change Act, the UK Government has set a target to significantly reduce UK greenhouse gas emissions by 2050. The Act established the Committee on Climate Change (CCC) to ensure that emissions targets are evidence-based and independently assessed. The Act requires the Government to assess the risks and opportunities from climate change for the UK, and to adapt to them. The CCC's Adaptation Committee advises on these climate change risks and assesses progress towards tackling them.

5.15 The Climate Change Act originally committed the UK to reducing its greenhouse gas emissions by 80% by 2050, compared to 1990 levels. However, in 2019 this was changed to a target to reduce greenhouse gas emissions by 100% by 2050, compared to 1990 levels; this is commonly known as 'net zero'.

5.16 There have been a succession of reports, strategies, policy and statements released by the Government over the past few years aiming to support the realisation of the 2050 net zero target and enable the transition to clean, green and home-grown energy.

### **Clean Power 2020**

5.17 Most recently, the Government has set out an ambition for Great Britain to be supplied by Green Power by 2030. This forms part of a plan to Make Britain a Clean Energy Superpower.

5.18 To achieve the Clean Power goal of 2030, the National Energy System Operation (NESO) was commissioned to report provide independent advice on achieving this. This included:

- Clean Power 2030
- Clean Power 2030 Action Plan: A New Era of Clean Energy

### **The National Planning Policy Framework (NPPF)**

5.19 The National Planning Policy Framework (NPPF) as amended is material to the consideration of the Project. When deciding DCO submissions S104(2)(d) of the Planning Act (PA) 2008 requires the Secretary of State (SoS) to have regard to any other matters considered both important and relevant. The NPPF includes a presumption in favour of sustainable development and sets the framework within which statutory development plan policies are required to be prepared

5.20 The Government published a consultation on changes to the NPPF on 16<sup>th</sup> December 2025 and CCC will consider this separately with regard to Norwich to Tilbury as appropriate.

5.21 The NPPF is supported by National Planning Policy Guidance (NPPG).

### **Statutory Development Plan**

#### **Adopted Chelmsford Local Plan**

5.22 The adopted Chelmsford Local Plan 2020 and Making Places Supplementary Planning Document (SPD) set the key principles for development within Chelmsford. There are several local planning policies that are relevant to the consideration of the Project.

5.23 Strategic Policy S1 seeks to ensure that existing and planned infrastructure is used effectively. Strategic Policy S9 seeks to set out priorities for infrastructure provision or improvements. Strategic Policy S10 sets out how infrastructure provision will be secured and mitigated.

5.24 The following local plan policies relevant to the consideration of proposals include:

- Strategic Policy S1 – Spatial Principles
- Strategic Policy S2 – Addressing climate change and flood risk
- Strategic Policy S3 - Conserving and enhancing the historic environment
- Strategic Policy S4 - Conserving and enhancing the natural environment
- Strategic Policy S7 – The spatial strategy
- Strategic Policy S8 – Delivering economic growth
- Strategic Policy S9 – Infrastructure requirements
- Strategic Policy S10 – Securing infrastructure and impact mitigation
- Strategic Policy S11 - The role of the countryside
- Policy DM6 - New development in the Green Belt
- Policy DM7 - New buildings and structures in the Green Wedge
- Policy DM8 - New buildings and structures in the rural area
- Policy DM10 - Change of use (Land and buildings) and Engineering operations

- Policy DM13 - Designated heritage assets
- Policy DM14 - Non designated heritage assets
- Policy DM15 - Archaeology
- Policy DM16 - Ecology and biodiversity
- Policy DM17 - Trees, Woodland and landscape features
- Policy DM18 - Flooding / SUDs
- Policy DM19 – Renewable and low carbon energy
- Policy DM23 - High quality and inclusive design
- Policy DM27 - Parking standards
- Policy DM29 - Protecting living and working conditions
- Policy DM30 - Contamination and pollution

5.25 Other relevant adopted local planning policies and guidance include:

- Essex County Council and Southend-on-Sea Waste Local Plan, 2017
- Essex County Council Minerals Local Plan, July 2014
- Chelmsford Surface Water Management Plan (SWMP) 2018
- Chelmsford City Strategic Flood Risk Assessment (SFRA) 2019
- Planning Obligations SPD

### **Submission (Emerging) Local Plan**

5.26 CCC has started its review of the local plan to consider changes to National Policy and ensure it stays up to date. The submission Local Plan will have a plan-period from 2022- 2041.

5.27 Following on from previous consultations in 2022 and 2024, CCC carried out consultation on the full Pre-Submission Local Plan in Spring 2025. Since then, it has emerged that CCC needs to add more land for homes and employment use into the submission plan to meet future needs. This is because some sites in the adopted Local Plan have not come forward, and some sites will not be built as quickly as expected. Added to this, the Government has greatly increased its calculation of housing need in Chelmsford.

5.28 CCC has undertaken focused consultation under Regulation 19 on 11 additional housing sites and expanded allocations for three housing sites and one employment site. CCC has also proposed some focused changes to the relevant policies. The consultation ran from 20<sup>th</sup> November 2025 to 8<sup>th</sup> January 2026. It is intended to submit the plan to the Secretary of State for examination in Summer 2026.

5.29 The relevant submission Local Plan Policies are:

- Strategic Policy S1 – Spatial Principles
- Strategic Policy S2 – Addressing climate change and flood risk
- Strategic Policy S3 - Conserving and enhancing the historic environment
- Strategic Policy S4 - Conserving and enhancing the natural environment
- Strategic Policy S7 – The spatial strategy
- Strategic Policy S8 – Delivering Economic Growth
- Strategic Policy S9 – Infrastructure requirements
- Strategic Policy S10 – Securing infrastructure and impact mitigation
- Strategic Policy S11 - The role of the countryside
- Strategic Policy S14 - Health and wellbeing
- Policy DM6 - New development in the Green Belt
- Policy DM7 - New buildings and structures in the Green Wedge

- Policy DM8 - New buildings and structures in the rural area
- Policy DM10 - Change of use (Land and buildings) and Engineering operations
- Policy DM13 - Designated heritage assets
- Policy DM14 - Non designated heritage assets
- Policy DM15 - Archaeology
- Policy DM16 – Protection and promotion of ecology, nature and biodiversity
- Policy DM17 - Trees, Woodland and landscape features
- Policy DM18 - Flooding / SUDs
- Policy DM19 – Renewable and low carbon energy
- Policy DM23 - High quality and inclusive design
- Policy DM27 - Parking standards
- Policy DM29 - Protecting living and working conditions
- Policy DM30 - Contamination and pollution

5.30 Further information will be provided on the status of the Local Plan during the examination period as required.

5.31 Whilst many of the Adopted planning policies remain unchanged from the Adopted Local Plan, in accordance with the transition arrangements, CCC has identified those policies that may be either out of date or contain elements within the policy that are out of date policies.

5.32 In those circumstances, CCC defers to the relevant policies and sections of the NPPF.

### **Climate Change Emergency**

5.33 In 2019, CCC declared a climate emergency and committed to reducing its own carbon emissions to zero by 2030 and supporting the wider district to do the same by 2030. The Council subsequently produced a new climate change strategy in 2021, contained within which is a general ambition to increase the generation of renewable energy in the Chelmsford administrative area.

## 6. Overarching Position on Norwich to Tilbury

- 6.1 On 29<sup>th</sup> August 2025, the Applicant, National Grid Electricity Transmission (NGET) submitted an application for a Development Consent Order (DCO) under the Planning Act (2008). On 26<sup>th</sup> September 2025, the Secretary of State (c/o Planning Inspectorate) accepted the application for examination as set out in the Section 55 letter from the Planning Inspectorate.
- 6.2 CCC understands that the Project comprises the reinforcement of the transmission network between the existing Norwich Main Substation in Norfolk and Tilbury Substation in Essex, via Bramford Substation, the new East Anglia Connection Node (EACN) and the new Tilbury North Substation. CCC notes that the route is described in chapter 4 (Project Description) of the Environmental Statement (APP-130)) and is shown in the Site Location Plan and Project Sections (APP-125) and 2.1 Location and Master Key Plan (Final Issue A) (APP-008).
- 6.3 CCC declared a Climate and Ecological Emergency (CEE) in 2019. CCC supports the transition towards a low or zero carbon economy to address the impact of climate change and improve sustainability. This includes renewable energy production where this can be appropriately located and suitably mitigated.
- 6.4 CCC recognises the rapidly growing need for electricity as the climate emergency requires us to help support the replacement of fossil fuels such as oil and gas as soon as possible. This does not mean however, that all Projects which may assist in reducing climate change should be approved at any cost.
- 6.5 CCC objects to the Norwich to Tilbury pylon Project. The objection is based on the following grounds:
- I) The preferred strategic option for Norwich to Tilbury remains an integrated offshore technology that minimises onshore transmission infrastructure and does not include overhead lines and pylons.
  - II) CCC recognises that this option would need to be delivered at pace and without risk to national net zero, renewable energy and decarbonisation targets, and energy security.
  - III) CCC consider that the presence of overhead lines and approximately 40m - 50m high pylons would be visually harmful and would result in unnecessary harm to heritage, landscape, ecology and residential amenity across the Chelmsford City Council administrative area.
- 6.6 CCC is supportive of well-developed, well-designed, and coordinated Projects that enable the goal of net-zero and the interim targets, as set out in the revised National Policy Statements (NPS).
- 6.7 As part of the Great Grid upgrade, the Project would assist in the decarbonisation of the UK's energy supply, in accordance with the Clean Power Action Plan 2020 and would help deliver the Governments targets of net zero by 2050.
- 6.8 CCC recognise the benefit the Norwich to Tilbury pylon Project would deliver by helping to reinforce the National Grid, thereby facilitating the UK Government meeting its renewable energy targets. CCC accepts that network reinforcement is needed to accommodate the

expected growth in demand for electricity and the additional contracted / planned electricity generation in East Anglia.

- 6.9 CCC acknowledge that enhanced transmission infrastructure will play a central role in tackling climate change and in meeting Government targets in the lead up to net-zero by 2050. However, the shift towards the delivery of low carbon will only be successfully achieved if developments such as the Norwich to Tilbury pylon Project are permitted having first taken into account the very real impacts they would have on the natural environment, landscapes and local communities that they would be sited within.
- 6.10 CCC recognise the timing for the Project is driven by the need for capacity in the transmission system by 2030. Yet it is CCC's view that such benefit should not and cannot be secured at the expense of Chelmsford's local communities, landscapes and environments that would be affected by the Project.
- 6.11 The Project would introduce vast incongruous features of industrial character into a rural landscape, which would have harmful impact upon the landscape and historic environment. The pylons and overhead lines would be visually noticeable and prominent. Many of the effects cannot be mitigated against due to the height and scale of the Project and would be permanent.
- 6.12 The Project would have a very clear detrimental impact upon the Chelmsford City Council administration area. CCC is extremely disappointed at the lack of appropriate mitigation and compensation proposed.
- 6.13 CCC continues to productively and constructively engage with NGET to secure the best possible outcomes for the local community and environment, including acceptable mitigation and compensation for all impacts, should the application for Development Consent Order be granted by the Secretary of State.

## 7. Principle of Development and Onshore Route

7.1 The principle of the development and the acceptability of the onshore route comprise the key Local Issue for Chelmsford City Council.

### Relevant policies

#### Local policy and evidence base: Adopted and Submission Chelmsford Local Plan

7.2 Policies S1, S2 and S10 apply of the Adopted and Submission Chelmsford Local Plan apply. Policy S1 seeks to ensure that development accords with the spatial principles and that infrastructure is used efficiently. Proposals should optimise the use of previously developed land for development, locate development at well-connected and sustainable locations, locate development to avoid or manage flood risk, protect the Green Belt, respect the character and appearance of the landscapes and built environment, preserve or enhance the historic environment and biodiversity, and utilise planned infrastructure effectively.

7.3 Policy S2 seeks that proposals address the move towards a lower carbon future for Chelmsford, where they reduce greenhouse gas emissions, promote the efficient use of natural resources such as water, provides for sustainable transport modes, provides opportunities for renewable and low carbon technologies and schemes, encourage design and construction techniques which contribute to climate change mitigation and adaptation and provide opportunities for green infrastructure including city greening and new habitat creation.

7.4 Policy S10 states that infrastructure should be provided in a timely, and where appropriate phased manner to serve the occupants and users of the development. Planning permission will only be granted if there is sufficient appropriate infrastructure to support the development or that such capacity will be delivered by the proposal. It must further be demonstrated that such capacity is required will provide sustainable over time in both physical and financial terms. In negotiating planning obligations, the Council will take into account local and strategic infrastructure needs and financial viability.

### National policy

7.5 The following apply:

- Overarching National Policy Statement for Energy (EN-1)
- National Policy Statement for renewable energy infrastructure (EN-3)
- National Policy Statement for electricity networks infrastructure (EN-5)
- National Planning Policy Framework
- National Planning Policy Guidance

7.6 National Policy Statement (NPS) EN-1 2023, emphasises the need for new energy Projects to contribute to a secure, diverse, and affordable energy supply and achieve net zero by 2050. Paragraph 2.1.3 of EN-1 recognises that to produce the energy required for the UK and ensure it can be transported to where it is needed, a significant amount of infrastructure is needed at both local and national scale. In addition, paragraph 3.3.65 states, 'There is an urgent need for new electricity network infrastructure to be brought forward at pace to meet our energy

objectives'. This sentiment is echoed in NPS EN-5 2023 but is more specific to electricity networks.

7.7 NPS EN-5 (2023) states in Paragraph 2.9.14 that: 'Applicants should demonstrate that they have given due consideration to the costs and benefits of feasible alternatives to the overhead line. Such alternatives may include re-routing, underground or subsea cables. The costs and benefits may include financial costs and benefits, engineering requirements, environmental effects, and the wider community benefits that may result from both the primary proposal and its alternatives. An appreciation of the feasibility e.g. in cost, engineering or environmental terms, of the alternatives should also be included.'

7.8 However, NPS EN-1 (2023) states in Paragraph 4.3.22 that "given the level and urgency of need for new energy infrastructure, the Secretary of State should, subject to any relevant legal requirements (e.g. under the Habitats Regulations) which indicate otherwise, be guided by the following principles when deciding what weight should be given to alternatives.

7.9 The consideration of alternatives to comply with policy requirements should be carried out in a proportionate manner; and only alternatives that can meet the objectives of the proposed development need to be considered.

7.10 Paragraph 4.3.23 of NPS EN-1 (2023) states that the Secretary of State (the decision maker) should be guided in considering alternative proposals by whether there is a realistic prospect of the alternative delivering the same infrastructure capacity (including energy security, climate change, and other environmental benefits) in the same timescale as the proposed development (which in this case is 2030-2031).

7.11 Paragraph 4.3.28 of NPS EN-1 (2023) states alternative proposals which mean the necessary development could not proceed, for example because the alternative proposals are not commercially viable or alternative proposals for sites would not be physically suitable, can be excluded on the grounds that they are not important and relevant to the Secretary of State's decision.

7.12 Paragraph 4.3.28 of NPS EN-1 (2023) also states that alternative proposals which are vague or immature can be excluded on the grounds that they are not important and relevant to the Secretary of State's decision.

7.13 NPS EN-1 2025 places more emphasis on the clean power 2030 mission and strengthens policy support for transmission and distribution upgrades. This is also echoed in NPS EN-5 2025, labelling upgrades to network transmission infrastructure as critical national priority Projects.

### **Consideration and adequacy of the DCO**

7.14 As stated within section six, Chelmsford City Council (CCC) declared a Climate and Ecological Emergency in 2019. CCC supports the transition towards a low or zero carbon economy to address the impact of climate change and improve sustainability. This includes renewable energy production where this can be appropriately located and suitably mitigated.

7.15 CCC recognises the rapidly growing need for electricity as the climate emergency requires us to help support the replacement of fossil fuels such as oil and gas as soon as possible. This does

not mean that all Projects which may assist in reducing climate change should be approved at any cost.

7.16 CCC objects to the Norwich to Tilbury pylon Project. Our objection is based on the following grounds:

- I) The preferred strategic option for Norwich to Tilbury remains an integrated offshore technology that minimises onshore transmission infrastructure and does not include overhead lines and pylons.
- II) CCC recognises that this option would need to be delivered at pace and without risk to national net zero, renewable energy and decarbonisation targets, and energy security.
- III) CCC consider that the presence of overhead lines and approximately 40m - 50m high pylons would be visually harmful and would result in unnecessary harm to heritage, landscape, ecology and residential amenity across the Chelmsford City Council administrative area.

### **Needs case and alternatives**

7.17 CCC accept that the network reinforcement offered by the Project is needed to accommodate the additional planned electricity generation in the East Anglia region. It would also assist in the decarbonisation of the UK's energy supply and help deliver the Government targets of net-zero by 2050.

7.18 The application includes an ES chapter specifically on 'alternatives' (APP-127). This chapter does not consider an exhaustive list of every theoretical alternative but focuses on so called "reasonable" alternatives consistent with Paragraph 4.3.22 of NPS EN-1 2023. The chapter clarifies that reasonable alternatives exclude "options with substantially different capacities, delivery timelines, or those that do not meet the Project's strategic objectives are not considered reasonable alternatives for the purposes of this chapter."

7.19 Document APP-127 (Alternatives) sets out that all options are assessed against criteria including National Grid's statutory duties under the Electricity Act 1989 (including Section 9(2) duties to develop and maintain an efficient, co-ordinated and economical system of electricity transmission, and Section 38 and Schedule 9, duties to preserve natural beauty and mitigate environmental effects), the industry-standard Holford Rules for overhead line routing and Horlock Rules for substation siting, and the then-current policy framework including the 2011 versions of National Policy Statements EN-1 and EN-5.

7.20 As part of the initial assessment of the routing, the Applicant reportedly considered other available options including inter alia increasing operating voltage, Alternating Current (AC) underground cable for the whole route, Direct Current (DC) underground cable and Offshore connections. However, these other options were discounted at an early stage for various reasons, but predominantly due to higher costs (relative to traditional pylons with targeted undergrounding as currently proposed).

7.21 CCC has previously raised concerns in responses to consultation regarding the uncertainties surrounding the timeframes for planned future connections stated by NGET. By way of background, an independent report, known as the Hiorns Report (The East Anglia Transmission Network Reinforcement Report by Hiorns Smart Energy Networks (2023) was commissioned jointly by Essex County Council, Suffolk County Council and Norfolk County Council. The report

reviewed the need and timing for additional capacity out of the East Anglia region and considered the need against a range of credible generation scenarios to assess the robustness of the need case.

- 7.22 CCC acknowledges that, in accordance with NPS EN-1, any alternative schemes would need to be delivered within a similar timescale to the proposed development. However, this must also be considered against the timescale of the actual need for network reinforcement.
- 7.23 Yet the Hiorns Report concluded that the case for the Norwich to Tilbury Project focused solely on the contracted energy generation position to identify the maximum requirement for additional transmission capacity in East Anglia. The report identified that it is extremely unlikely that all of the contracted energy generation Projects would come forward and/or connect at the volumes stated or dates contracted. As a result, the report concluded that there was scope for further analysis of potential options, including a potential offshore High Voltage Direct Current (HVDC) link, and it could not be concluded that the NGET Norwich to Tilbury Project was the best option.
- 7.24 NGET responded to that report in April 2024 suggesting that it could not delay its reinforcement of the transmission network beyond 2030 without being in breach of its contractual and licence obligations. Whilst these obligations are acknowledged, credible alternatives such as an offshore centred approach or High Voltage Direct Current (HVDC) undergrounding, delivered at pace, to minimise onshore infrastructure in Essex should continue to be fully explored.
- 7.25 CCC does not consider that NGET has provided new evidence or sensitivity testing to refute the conclusions of the Hiorns Report that the Norwich to Tilbury Project is not demonstrably required by 2030. While the Council has had regard to the TEC Register submitted with the DCO, it considers it essential that greater transparency is provided regarding the status of contracted connections and the likelihood of Projects being ready to connect by 2030. Justification for future network expansion must not rely solely on the ESO contracted position.
- 7.26 Clarification of the contractual position to inform the need and timescale for the Norwich to Tilbury Project is therefore still required. Until this is evidenced, CCC maintains its position that credible alternatives, such as an offshore-centred approach or HVDC undergrounding delivered at pace, should continue to be fully explored to minimise onshore above-ground infrastructure in Essex and reduce visual intrusion and environmental impact
- 7.27 The application proposes predominantly 50m (approx.) high lattice pylons and overhead lines. The Project would have very significant and harmful impacts including those upon landscape, historic environment and residential amenity. If the timing for the network reinforcement is less acute as suggested in the Hiorns report, CCC considers that alternative schemes to the proposed lattice pylons scheme, such as off-shore and High Voltage Direct Current (HVDC) undergrounding, should be explored in more detail to ascertain whether they would achieve better environmental outcomes overall than the current submitted scheme.
- 7.28 CCC reiterate that its preferred strategic option for Norwich to Tilbury remains an integrated offshore technology that minimises onshore transmission infrastructure and does not include overhead lines and pylons. CCC recognises that this option would need to be delivered in a timely manner, and without risk to national net zero, renewable energy generation and decarbonisation targets and energy security. The Hiorns report described the offshore solution as credible and concluded the offshore option would be less expensive than the onshore option with HVAC cables.

## 8. Other Key Local Issues and Likely Significant Effects

8.1 CCC's overarching position is set out in section seven above.

8.2 The following are identified as key local issues and areas of concern

- Effect on the Green Belt, Rural Area and Green Wedge
- Great Waltham and Little Waltham
- Acceptability of the Environmental Statement

8.3 Concerns have also been raised regarding Mitigation and Compensation and the Draft Development Consent Order below.

8.4 CCC reserves the right to amend our position on matters or to raise additional topics throughout the examination as deemed necessary, or respond to new matters within the examination. Matters raised in this LIR will, as appropriate, be further expanded upon in other future representations as well as the Statement of Common Ground,

### Effect on Green Belt, Rural Area and Green Wedge

#### Relevant Policies

##### Local policy and evidence base including the Adopted and Submission Chelmsford Local Plan

8.5 Policies S11 – The Role of the Countryside, DM6 – New Buildings in the Green Belt, DM7 – New Buildings and Structures in the Green Wedge, DM8 – New buildings and Structures in the Rural Area and DM10 – Change of Use (Land and Buildings) and Engineering Operations of the Adopted Local Plan apply. These seek to protect the Green Belt from inappropriate development, and the character and beauty of the countryside. They set out the circumstances where development may be acceptable. Policies S11 and DM6 of the Adopted Local Plan do not contain reference to the Grey Belt. The PDL test has also changed. Policy DM10 contains no reference to the Grey Belt. In such cases, reference is made to the appropriate paragraphs of the NPPF.

8.6 Submission policies S11 – The role of the Countryside, DM6 – New development in the Green Belt, DM7 – New buildings and structures in the Green Wedge, DM8 – New buildings and structures in the Rural Area and DM10 – Change of use (land and buildings) and engineering operations also apply. The policies have been amended to reflect the guidance contained within the NPPF.

8.7 Within the Green Belt, the purpose of the policies is to prevent inappropriate development and set out the exceptions or circumstances where development may be granted.

8.8 Within the countryside and rural area, and the Green Wedge, the purpose of the policies is to set out the circumstances where development may be granted.

#### National Policy

8.9 The following apply:

- Overarching National Policy Statement for Energy (EN-1)
- National Policy Statement for renewable energy infrastructure (EN-3)
- National Policy Statement for electricity networks infrastructure (EN-5)
- National Planning Policy Framework
- National Planning Policy Guidance

8.10 Paragraph 5.11.2 of NPS EN-1 (2023) states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and permanence.

8.11 Paragraph 5.11.20 of NPS EN-1 (2023) states that the general policies controlling development in the countryside apply with equal force in Green Belts but there is, in addition, a general presumption against inappropriate development within them. Such development should not be approved except in very special circumstances. Applicants should therefore determine whether their proposal, or any part of it, is within an established Green Belt and if it is, whether their proposal may be inappropriate development within the meaning of Green Belt policy.

8.12 Paragraph 5.11.36 of NPS EN-1 (2023) states when located in the Green Belt, energy infrastructure Projects may comprise 'inappropriate development'. Inappropriate development is by definition harmful to the Green Belt. The NPPF makes clear that most new building is inappropriate in Green Belt and should be refused permission unless in very special circumstances.

8.13 Paragraph 5.11.37 of NPS EN-1 (2023) states that very special circumstances are not defined in national planning policy as it is for the individual decision maker to assess each case on its merits and give relevant circumstances their due weight. However, when considering any planning application affecting Green Belt land, the Secretary of State should ensure that substantial weight is given to any harm to the Green Belt when considering any application for such development, while taking account, in relation to renewable and linear infrastructure, of the extent to which its physical characteristics are such that it has limited or no impact on the fundamental purposes of Green Belt designation. Very special circumstances may include the wider environmental benefits associated with increased production of energy from renewables and other low carbon sources.

8.14 NPS EN-1 (2025) reiterates the above statements and notes at 5.11.2 that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and permanence.

8.15 The relevant sections of NPS EN-1 in so far as they relate to the countryside are given within the national policy section of the Landscape and Visual Impact section of this LIR.

## **Context**

8.16 The proposed route would enter the City Council administrative area from the northeast, south of Great Leighs, into and through land allocated as the Rural Area in the Chelmsford Local Plan. It would run adjacent to land allocated as Green Wedge north of Chelmsford with access routes extending into the Green Wedge. The route would leave the Rural Area to the southwest of Chelmsford and would enter land designated as Green Belt in the Adopted Chelmsford Local Plan. The Green Belt forms part of London's Metropolitan Green Belt.

- 8.17 The Project would cross many roads and public rights of way including the northwestern edge of the Centenary Circle and the Essex Way and would be visible in long, medium and short distance views.
- 8.18 The Project would introduce vast incongruous features of industrial character into a rural landscape, which would have harmful impact upon the landscape and historic environment. The pylons and overhead lines would be visually noticeable and prominent

### **Consideration and adequacy of the DCO: Green Belt**

- 8.19 The fundamental aim of Green Belt policy is to prevent urban sprawl and keep land permanently open. Openness has both visual and spatial qualities. The pylons would be between approximately 40-50 metres high, rising higher to about 56 metres accounting for the Limits of Deviation. Together with other elements of the Project including overhead lines, any buildings, enclosures, boundary fencing or operational equipment, they do not fall within any of the exceptions in paragraph 154 of the National Planning Policy Framework (NPPF) or the relevant policies in the Adopted Chelmsford Local Plan.
- 8.20 Paragraph 160 of the NPPF agrees that elements of many renewable energy Projects will comprise inappropriate development. In such cases, developers will need to demonstrate very special circumstances if Projects are to proceed. This may include the wider environmental benefits associated with increased production of energy from renewable energy sources.
- 8.21 The approach is supported by paragraph 5.11.36 of National Policy Statement (NPS) EN-1 states that when located in the Green Belt, energy infrastructure Projects may comprise 'inappropriate development'. Inappropriate development is by definition harmful to the Green Belt with references to the National Planning Policy Framework (NPPF).
- 8.22 Paragraph 5.11.37 of NPS EN-1 states that very special circumstances are not defined in national planning policy as it is for the individual decision maker to assess each case on its merits and give relevant circumstances their due weight. It states that substantial weight is given to any harm to the Green Belt when considering any application for such development, while taking account the extent to which its physical characteristics are, such that it has limited or no impact on the fundamental purposes of the Green Belt designation. Very special circumstances may include the wider environmental benefits associated with increased production of energy from renewables and other low carbon sources.
- 8.23 From a spatial element, the Project would introduce substantial development into the area in terms of ground cover and built form that would diminish the openness of the Green Belt spatially. Visually, the landscapes that would be affected by the Project are often undeveloped, rural landscapes where intervisibility can be quite high due to being either large scale flat or gently undulating landscapes or where the scale and height of the pylons and overhead wires mean the effect is an industrialisation of the countryside.
- 8.24 The Project would conflict with the purposes of including land within the Green Belt. In terms of encroachment, the Project would place a large number of pylons and associated infrastructure within an extensive number of fields within the countryside. Although maintaining some separation between them, the pylons and associated infrastructure would fundamentally alter the appearance of the fields and landscape that they would be sited within it. These would alter

from a sequence of open green spaces to spaces accommodating large, industrialised development that would result in encroachment, in contradiction of a Green Belt purpose.

8.25 The Project, as inappropriate development, would by definition be harmful to the Green Belt. It would result in encroachment and moderate harm to the openness of the Green Belt in both visual and spatial terms. The proposed development would conflict with national and local planning policies. These seek to resist inappropriate development and only allow engineering operations that would preserve openness and not conflict with the purposes of including land within the Green Belt. All harm to the Green Belt carries substantial weight.

8.26 The very special circumstances put forward by NGET would need to be considered alongside any other identified harm arising from the scheme, acknowledging that the Project is inappropriate development.

8.27 With regard to the Grey Belt, the Adopted Chelmsford Local Plan policies are out of date and CCC refers to paragraphs 155 to 159 of the NPPF as appropriate. CCC defers to the ExA regarding the Grey Belt.

### **Consideration and adequacy of the DCO: Rural Area and Green Wedge**

8.28 Paragraph 5.11.26 of NPS EN-1 states that Applicants should seek to minimise the direct effect of a Project on the existing use of a site and the effects on existing or planned uses near the site by the application of good design principles, including the layout of the Project and the protection of soils during construction.

8.29 CCC consider that Projects within the rural area should protect the identified character, beauty and appearance of the countryside.

8.30 There are two aspects of the Project that have potential to cause an effect on visual amenity and landscape character. These are the activities and elements of the Project that would affect the fabric of the site landscape, and the activities and visual characteristics of the elements that would be visible from the surrounding locality.

8.31 The Project would introduce lattice pylons ranging from 40 - 50 (approx.) metres in height, overhead lines and associated infrastructure in the countryside. Accounting for the Limits of Deviation, the height of the pylons could increase to approximately 56 metres in places. The landscapes affected by the Project are often undeveloped, rural landscapes where intervisibility can be quite high due to being either large-scale flat or gently undulating landscapes or where the scale of the pylons and overhead wires means the effect is an industrialisation of the countryside.

8.32 As considered further within this LIR, the Project would lead to a harmful change in the identified character and appearance of the landscape, which would lead to a change in the character and quality of the landscape. It would lead to harmful visual intrusion through the siting of high large-scale industrialised features that cannot be fully mitigated against. The Project would lead to the harmful loss of the character and beauty of the countryside.

8.33 The Green Wedge is a unique designation in Chelmsford and has a multi-functional role providing opportunities for cycling and walking as well as being a wildlife corridor. It overlays both the Green Belt and the Rural Area meaning that policies relating to both the Green Belt and the countryside apply.

8.34 Within the Green Wedge, the installation of permanent access routes is a symptom of industrialisation and incursion of the development within sensitive designated areas of the countryside.

## **Great Waltham and Little Waltham**

### **Relevant Policies**

#### **Local policy and evidence base including the Adopted and Submission Chelmsford Local Plan**

8.35 Policies S3 – Conserving and Enhancing the Historic Environment and S4 - Conserving and Enhancing the Natural Environment of the Adopted Chelmsford Local Plan apply. These seek to protect the historic environment and the countryside from harmful development and set out the circumstances where development may be granted.

8.36 DM8 - New Buildings and Structures in the Rural Area and DM10 – Change of Use (Land and Buildings) and engineering operations seek to protect the character and appearance of the countryside and set out the circumstances where new buildings / change of use or engineering operations may be granted.

8.37 Policies DM13 – Designated Heritage Assets and DM14 – Non Designated Heritage Assets apply to designated and non-designated heritage assets and DM15 relates to archaeology. The policies seek to protect heritage assets from harm and set out the circumstances where development affecting these features will be granted.

8.38 Policies DM16 – Ecology and Biodiversity and DM17 - Trees, Woodland and Landscape features seek to protect ecological and biodiversity features, and trees, woodland and landscape from adverse impacts and effects and set out the circumstances where development may be granted

8.39 Policy DM23- High Quality and Inclusive design, DM29 – Protecting Living conditions and Policy DM30 Contamination also apply These seek to ensure that development Projects are well designed and safeguard the living environment of any nearby residential properties, ensure that the Project is compatible with neighbouring or existing uses within the vicinity of the site and do not cause contamination.

8.40 On policy S4 - Conserving and Enhancing the Natural Environment, it is noted that Biodiversity Net Gain is now statutory. Policy DM8 – New buildings and structures in the rural area, contains no reference to the Grey Belt but remains consistent with the NPPF. Policy DM10 – change of use (land and buildings) and engineering operations contains no reference to the Grey Belt but is still consistent with the NPPF. On Policy DM16 – Ecology and Woodland, BNG is now statutory.

8.41 The policies have been retained and amended in accordance with the NPPF and form part of the Submission Local Plan, with new Policy S14 relating to Health and Wellbeing being applicable to this Project.

### **National Policy**

8.42 The following apply:

- Overarching National Policy Statement for Energy (EN-1)
- National Policy Statement for renewable energy infrastructure (EN-3)
- National Policy Statement for electricity networks infrastructure (EN-5)
- National Planning Policy Framework
- National Planning Policy Guidance

8.43 The relevant sections of NPS EN-1 in so far as they relate to the Great Waltham and Little Waltham are thematic based and are given within the national policy sections of this LIR with regard to cultural heritage, landscape and visual, noise and vibration, health and wellbeing and other matters.

## **Consideration and Adequacy of the DCO**

### **Heritage**

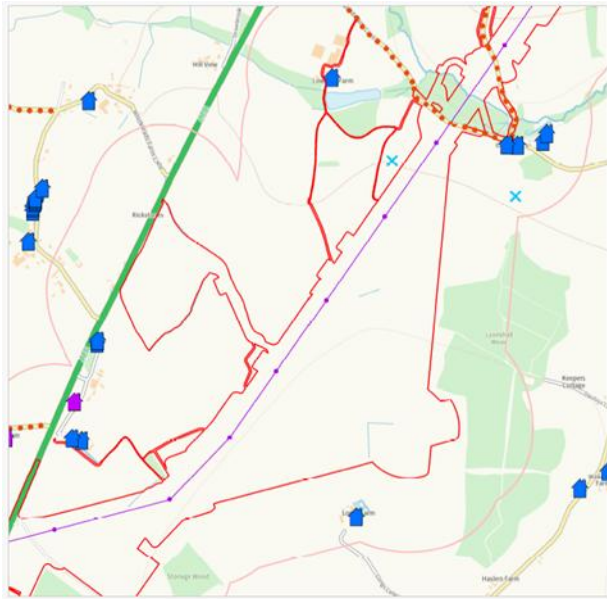
8.44 From a heritage perspective, the most sensitive area on the route is that between the villages of Great Waltham and Little Waltham, where the route would pass between two Conservation Areas, Langleys Registered Park and Garden (RPG) and the setting of the Grade I listed house Langleys, the Ash Tree Corner Scheduled Monument, the Church of St Mary and St Lawrence (Grade I) and 65 Grade II listed and two Grade II\* buildings within 1km, also numerous non-designated heritage assets including pillboxes associated with the GHQ defence line and various vernacular buildings. Most of these heritage assets have a rural setting which contributes to their significance.

8.45 Little Waltham and Great Waltham are both picturesque villages with high quality vernacular historic buildings set within rural landscapes. Non-significant impacts are also identified to many listed buildings within the setting which should be considered cumulatively as they form part of an area of high heritage sensitivity, along with Langleys. The Project would impact upon a number of non-designated heritage assets within the vicinity of the route.

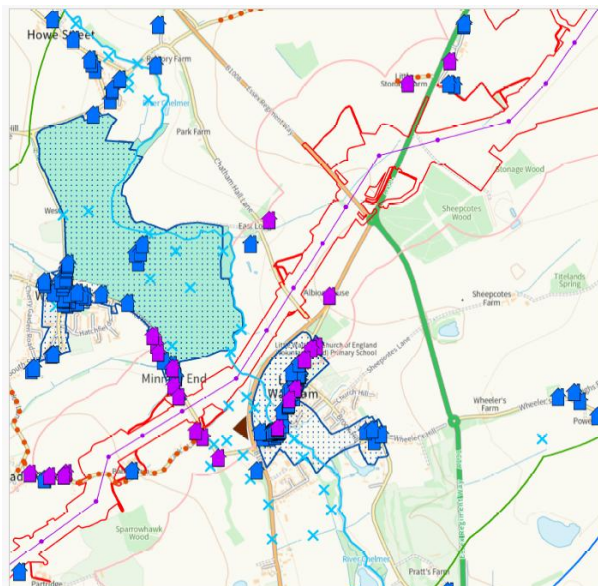
8.46 CCC assess the impacts to Great Waltham (CA55) and Little Waltham (CA56) as moderate and thus significant for the purposes of the ES. There is only one other location on the entire route where permanent significant impacts are identified affecting any Conservation Area. Langleys Registered Park and Garden (1000241) is the only RPG where there are agreed moderate and thus significant for the purposes of the ES.

8.47 The location of the heritage assets is shown on the following maps:

### North of Little Waltham



### Little Waltham



8.48 Langleys has an isolated rural setting, which makes an important contribution to its significance. The introduction of pylons within the setting of the house and garden would irreversibly destroy the unique and irreplaceable historic environment, leading to significant adverse heritage impacts which are not adequately mitigated.

8.49 The Project would also irreversibly destroy the unique and irreplaceable historic environment within Great Waltham and Little Waltham. Whilst some of the harm identified is at the low level, cumulatively there would be an extensive impact

### Landscape and Visual

8.50 In landscape and visual impact terms, there are concerns regarding the wider impact of the pylons and overhead line on the historical landscape setting associated with Langleys. The

introduction of pylons would likely degrade the setting by forming a backdrop of pylons behind the building within the wider landscape.

8.51 The Project would be introduced into a location where views are otherwise absent of overhead lines resulting in a major and significant adverse effects by the introduction of industrialised features. The siting of the pylons and overhead lines within the gap between the two Defined Settlements of Great Waltham and Little Waltham would lead to the introduction of high industrialised features that would be at odds with the rural character and appearance of the area.

8.52 There would be close and sometimes open views of the Project from local receptors, from residential properties along several roads/lanes, the Public Rights of Way (PRoW) network and from scattered properties where pylons would appear very prominent and seen in full against the sky. Pylons would appear stacked behind each other in some views. The visual effect would be particularly noticeable from less vegetated sections such as Chatham Hall Road, with much of the pylon's structure prominently visible against the sky.

8.53 The scale of change would be large, and the effect would be major and significant (adverse), reducing to moderate and significant (adverse) within Little Waltham. The cumulative effect of multiple pylons and the continuous overhead linear nature of the Project, means that the collective impacts would create an overall significant adverse effect at both construction and operation.

### **Targeted Consultation Response**

8.54 In its Targeted Consultation Response, CCC presented the following three options with respect to the siting of the route between Great Waltham and Little Waltham.

- I) CCC's preferred option is that alternative mitigation in the form of underground cabling should be used for this section.
- II) Alternatively, different alignment should be chosen with further consideration being given to relocating the route to the north of Great Waltham and Little Waltham. Details of this route can be found at page 58, figure 5.13, Indicative alternative route of the Norwich to Tilbury Design Development Report June 2023.
- III) Finally, upon exhausting the above options, regard should be given to the introduction of T pylons along this part of the route. These have a visually different character and appearance that may contribute to a mitigation strategy to limit the landscape and heritage issues listed above. A full impact assessment of the use of T pylons should be undertaken to determine the suitability of this Project.

8.55 These options have been discounted by NGET and have not been taken forward. CCC reiterates that its preferred options for Great Waltham and Little Waltham are those set out above. CCC disagrees with NGET's discounting due to the harm that the Project would have upon Great Waltham and Little Waltham. To address CCC's concerns, NGET have proposed siting lower height pylons between Great Waltham and Little Waltham.

## Lower height pylons

8.56 Pylons TB136 to TB142 are proposed as lower height pylons of approximately 40 metres height. Whilst the lower height pylons limit their visibility above trees when seen in the context of tree belts, they would have a similar or greater visual presence in exposed locations due to their wider stance and thicker structural sections.

8.57 The lower height pylons would reduce the extent of visibility from Grade I listed Langley's house and its immediate gardens. Yet the wider stance and heavier frame of the lower height pylons would have a greater visual presence in the context of the southern part of Great Waltham Conservation Area and the designated and non-designated heritage assets in this area. Cumulatively the greater harm to the other heritage assets and on landscape mean that the proposed mitigation strategy is inadequate.

## Pylons TB140 – TB142

8.58 The Limits of Deviation include flexibility for three of the low (c.40m) height pylons at TB140-TB142 to be increased in height to full height pylons. This flexibility offers the opportunity to reduce the three pylons to two full height pylons, moving TB141 further away from the edge of Great Waltham Conservation Area and the non-designated heritage asset Windmill House.

8.59 The introduction of full height pylons and the omission of one pylon could potentially reduce the level of heritage harm and CCC request that the matter is explored further, with visualisations and plans provided for further assessment.

## Ecology and Trees

8.60 The Project would lead to a considerable removal of trees, hedgerows and planting and has potential to impact upon Veteran trees which are irreplaceable habitats. There is deep concern regarding the amount of vegetation proposed for removal. Pylons TB139 and TB140 would be sited close to the Conservation Area, which contains valued trees which could be removed should the Project be granted.

8.61 The Project would represent increased and harmful pressures on woodlands, trees, hedgerows and Local Wildlife Site(s) and sufficient mitigations and buffers would need to be provided. Where harm is unavoidable arboricultural compensatory measures should be delivered to offset harm. Loss to trees and woodland has not been appropriately justified or mitigated at this stage in time. There is no appropriate mitigation for the loss of irreplaceable habitats.

## Residential Amenity

8.62 The siting of pylon TB141 adjacent to Windmill House would have a harmful and unacceptable impact upon the occupant's amenities, both visually and spatially, where the pylon would have an overbearing and dominant impact upon the property. See comments on Health and Well Being and Noise.

8.63 Whilst debates regarding the effect of Electro Magnetic Fields (EMF's) are deferred to the ExA, a precautionary approach is to site the pylons and wires as far away from possible from residential properties.

8.64 The close siting of pylon TB141 adjacent to Windmill House mean that it could be exposed to the effects of a low frequency hum known as Corona Discharge. NGET's own document "Design Guidelines for development near pylons and high voltage overhead power lines" states that it is possible for the developer to mitigate significantly the effects of noise from an existing overhead line by attention to site layout and design of new developments, for example by including landscaping or by placing the noise sensitive elements away from the line. These principles should be applied to the siting of pylon TB141 with regard to Windmill House.

8.65 In combination with the comments regarding the heritage impacts of the lower height pylons identified above, CCC request that the pylon is relocated away from the boundary with Windmill House as part of a comprehensive package of mitigation measures.

8.66 Further consideration on other residential properties within the area is set out below.

### **Mitigation**

8.67 NGET's position that additional mitigation measures are not possible is unconvincing. There is a compelling case to find an alternative route, underground or use T-pylons for this section of the Project. Additional mitigation options have not been fully explored, including landscaping and heritage compensation measures. It is a matter of previous agreement that the alternative route option between Pleshey and Great Waltham would have a reduced impact on the historic environment and it is essential that adequate mitigation is provided.

8.68 The Project would lead to construction impacts that would involve the considerable removal of trees, hedgerows and planting. Their removal would have a noticeable impact upon setting. Whilst in theory, replacement mitigation replanting could limit this impact, in practice, it would take many years to mature to a level where the pre-existing conditions would be reinstated. The effect would not be experienced by residents within the area as a temporary loss of planting.

8.69 Where harm is unavoidable heritage compensatory measures should be delivered. This should include repair of listed buildings and/or associated built and landscape features to offset harm to setting. This would be essential at Langleys; where there are a number of structures and features within the Registered Park and Garden, as well as the outbuildings and the house. The Project could offset harm to setting by providing funded repairs.

8.70 The proposed mitigation proposed does not adequately limit the harm on the historic environment, the sensitive landscape, ecology and residents that reside within it. CCC object to the Project due to lack of sufficient mitigation and appropriate compensation.

## Environmental Statement

8.71 The Environmental Statement (ES) is a key tool in assessing the significance of harm on an application and Chelmsford City Council's main concern is to ensure that the Project would not lead to unacceptable significant adverse harm.

8.72 The policies listed at section five of this LIR apply and the consideration below sets out the relevant policies applicable to the topic headings.

## Air Quality

### Relevant policies

#### Local policy and evidence base: Adopted and Submission Chelmsford Local Plan

8.73 Policy DM29 – Protecting Living and Working Environments of the Adopted Local Plan applies. The policies have been retained in the submission Local Plan and new Policy S14 – Health and Wellbeing of the Submission Local Plan is relevant.

8.74 The policies seek to ensure that development Projects are well designed and safeguard the living environment of any nearby residential properties, ensure that the Project is compatible with neighbouring or existing uses within the vicinity of the site and do not cause contamination.

### National Policy

8.75 The following apply:

- Overarching National Policy Statement for Energy (EN-1)
- National Policy Statement for renewable energy infrastructure (EN-3)
- National Policy Statement for electricity networks infrastructure (EN-5)
- National Planning Policy Framework
- National Planning Policy Guidance

8.76 Paragraph 5.2.1 of EN-1 (2023) states energy infrastructure development can have adverse effects on air quality. The construction, operation and decommissioning phases can involve emissions to air which could lead to adverse impacts on health, on protected species and habitats, or on the wider countryside and species. Air emissions include particulate matter (for example dust) up to a diameter of ten microns (PM10) and up to a diameter of 2.5 microns (PM2.5) as well as gases such as sulphur dioxide, carbon monoxide and nitrogen oxides (NOx).

8.77 Paragraph 5.2.16 of EN-1 (2023) states that the Secretary of State should give air quality considerations substantial weight where a Project would lead to a deterioration in air quality. This could for example include where an area breaches any national air quality limits or statutory air quality objectives. However, air quality considerations will also be important where substantial changes in air quality levels are expected, even if this does not lead to any breaches of statutory limits.

8.78 Paragraph 5.2.19 of EN-1 (2023) states that in all cases, the Secretary of State must take account of any relevant statutory air quality limits, objectives and targets. If a Project will lead to non-compliance with a statutory limit, objective or target the Secretary of State should refuse consent, objectives or targets.

8.79 EN-1 (2025) requires consideration of PM2.5 targets, updated statutory duties, and Clean Power 2030 objectives. It mandates strong justification when deviating from national datasets and demands “exceptional justification” and “substantial mitigation” for nearby sensitive receptors. In addition, it tightens rules around statutory limit breaches and integrates new environmental targets.

8.80 Paragraph 187 of the NPPF (2024) states that planning policies and decisions should contribute to and enhance the natural and local environment by inter alia: *e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans;*”

## **Consideration and Adequacy of the DCO**

8.81 CCC’s main concern relates to the impact of the Project upon the settlements and residents sited in proximity to the Project to ensure that air quality levels remain at an acceptable level.

8.82 CCC raise no objections to the overall approach to air quality and dust.

8.83 The ES demonstrates that that, in the absence of mitigation, construction-phase dust impacts could be significant. Yet, subject to the full and effective implementation of the proposed mitigation measures, including those set out in the Dust Management Plan, residual air quality impacts are predicted to be not significant for both human and ecological receptors.

8.84 Clarification and alignment are required between the air quality assessment and the Outline Code of Construction Practice, particularly in relation to the siting and emissions control of non-road mobile machinery (NRMM), to ensure mitigation commitments are robustly secured.

## **Ecology and Biodiversity**

### **Relevant Policies**

#### **Local policy and evidence base: Adopted and Submission Chelmsford Local Plan**

8.85 Policy S4 - Conserving and Enhancing the Natural Environment of the Adopted Chelmsford Local Plan apply. This seeks to protect the natural environment from harmful development and set out the circumstances where development may be granted.

8.86 Policies DM16 – Ecology and Biodiversity and DM17 - Trees, Woodland and Landscape features seek to protect ecological and biodiversity features, and trees, woodland and landscape from adverse impacts and effects and set out the circumstances where development may be granted

8.87 On policy S4 - Conserving and Enhancing the Natural Environment, it is noted that BNG is now statutory. Policy DM8 – New buildings and structures in the rural area, contains no reference to

the Grey Belt but remains consistent with the NPPF. Policy DM10 – change of use (land and buildings) and engineering operations contains no reference to the Grey Belt but is still consistent with the NPPF. On Policy DM16 – Ecology and Woodland, BNG is now statutory.

8.88 The policies have been retained and amended in accordance with the NPPF and form part of the Submission Local Plan.

## **National Policy**

### **EN-1 Overarching Policy Statement for Energy EN-1**

8.89 Paragraph 5.4.17 of EN-1 states that where the development is subject to EIA the Applicant should ensure that the ES clearly sets out any effects on internationally, nationally, and locally designated sites of ecological or geological conservation importance (including those outside England), on protected species and on habitats and other species identified as being of principal importance for the conservation of biodiversity, including irreplaceable habitats.

8.90 On mitigation paragraph 5.4.35 states that Applicants should include appropriate avoidance, mitigation, compensation and enhancement measures as an integral part of the proposed development. In particular, the Applicant should demonstrate that:

- during construction, they will seek to ensure that activities will be confined to the minimum areas required for the works
- the timing of construction has been planned to avoid or limit disturbance
- during construction and operation best practice will be followed to ensure that risk of disturbance or damage to species or habitats is minimised, including as a consequence of transport access arrangements
- habitats will, where practicable, be restored after construction works have finished

8.91 The paragraph goes onto note that opportunities will be taken to enhance existing habitats rather than replace them, and where practicable, create new habitats of value within the site landscaping Projects. Where habitat creation is required as mitigation, compensation, or enhancement the location and quality will be of key importance. In this regard habitat creation should be focused on areas where the most ecological and ecosystems benefits can be realised.

8.92 In relation to Secretary of State decision making, paragraph 5.4.44 of EN-1 states that the Secretary of State should consider what appropriate requirements should be attached to any consent and/or in any planning obligations entered into, in order to ensure that any mitigation or biodiversity net gain measures, if offered, are delivered and maintained. Any habitat creation or enhancement delivered including linkages with existing habitats for compensation or biodiversity net gain should generally be maintained for a minimum period of 30 years, or for the lifetime of the Project, if longer.

8.93 Paragraph 5.4.45 goes onto state that the Secretary of State will need to take account of what mitigation measures may have been agreed between the Applicant and the SNCB and the MMO/NRW (where appropriate), and whether the SNBC or the MMO/NRW has granted or refused, or intends to grant or refuse, any relevant licences, including protected species mitigation licences

## National Planning Policy Framework

8.94 The NPPF, at paragraph 192 states that to protect and enhance habitats and geodiversity plans should:

- a) Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation; and
- b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity

8.95 Paragraph 193 states that when determining planning applications, local planning authorities should apply the following principles:

- a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
- b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;
- c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons<sup>70</sup> and a suitable compensation strategy exists; and
- d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.

## Consideration and Adequacy of the DCO

8.96 CCC's main concern is that the Project minimises the ecological and biodiversity impacts of the development and that adequate mitigation is secured.

## Assessment of Impacts

8.97 Where the electricity connection will be via new 400kV overhead line and will require vegetation removal, a 40m wide swathe will be removed to facilitate construction activities. An additional up to 8m of vegetation either side of the 40m would be managed during construction, operation, and maintenance, to allow for clearance to be maintained, and an additional up to 22m of vegetation either side would potentially be affected. This adds up to a potential ecological impact corridor of 100m width.

8.98 The ecological receptors included for impact assessment within the ES comprise the following:

- International (Statutory) Designated Sites
- National (Statutory) Designated Sites
- Local (Non-statutory) Designated Sites
- Habitats
  - Ancient Woodland
  - Priority Habitats
  - Species-rich/Important Hedgerows
  - Groundwater Dependent Terrestrial Ecosystems
  - Other Habitat
- Vascular and Non-vascular Plants and Fungi
- Invasive Non-Native Species – Plants
- Protected Species/Species of Conservation Concern (Flora)
  - Protected Species/Species of Conservation Concern (Fauna) Terrestrial Invertebrates
  - Aquatic Macroinvertebrates
  - Invasive Non-Native Species – Aquatic Macroinvertebrates
  - Fish
  - Reptiles
  - Birds (Schedule 1, breeding, wintering and passage)
  - Bats (roosting, foraging and commuting)
  - Hazel Dormouse
  - Otter
  - Water Vole
  - Badger
  - Species of Principal Importance (common toad, brown hare, harvest mouse, hedgehog and polecat)
  - Great Crested Newt

8.99 The ecological impact assessments have a heavy reliance on either the quality execution of surveys to be completed post DCO consent and/or the proper implementation of mitigation measures across a very large construction works area and throughout an extended construction period.

8.100 The ES chapter generally provides an appropriate assessment of likely impacts on the identified ecological receptors. This includes for both statutory and non-statutory designated sites, habitats, and protected and Priority species.

8.101 The embedded mitigation has very largely avoided potential for significant impacts on designated sites. The predicted construction phase impacts to all Local Wildlife sites (LWS) falling within the Order Limits are rated as minor, temporary, and reversible, and the residual impacts post mitigation are appraised as negligible.

8.102 Within Chelmsford, this includes the potential for accidental encroachment into ancient woodlands at Parson's & Queen's Wood LWS and at Osborne Wood LWS, tree loss at Langley's Deer Park LWS, oversailing at Great/Little Edney Woods LWS, and removal and undergrounding of the 11 kV UKPN overhead line at Writtle-Writtlepark Woods LWS.

8.103 The findings of these assessments are not refuted, but it is critical that the proposed mitigation measures happen to specification.

8.104 The embedded mitigation has aimed to avoid or otherwise limit the potential for negative impacts on habitats and protected species.

- 8.105 Hazel dormouse populations have been confirmed at Survey Areas 18 (King Wood), 19 (Bosmore Wood), and 20 (Bushy Wood and Osborne's Wood), which all fall within the Margaretting area of Chelmsford CC. The negligible residual impact assessments for these hazel dormouse sites are not disputed.
- 8.106 Some potential impacts on protected species are not yet fully measured. For some species, the practicality of applying seasonal avoidance mitigation measures (e.g. breeding birds – general and Schedule 1) is proposed to be decided on a case-by-case basis post DCO consent.
- 8.107 For other species including badgers and water vole, surveys have been completed but further surveys would be needed pre-construction to account for potential changes between the original survey dates and the eventual start of works.
- 8.108 On bats, aerial inspections and/or emergence surveys of trees rated for roosting bat potential as planned to be undertaken post DCO consent. Further assessment is required on roosting bats in trees along the Project length, and this is a matter unagreed for the purposes of the Statement of Common Ground.
- 8.109 CCC's position is that impacts on protected species need to be assessed with reasonable confidence and the proposed mitigation considered appropriate, prior to determination to support a lawful decision. The absence of effective post-mitigation licence monitoring makes it highly uncertain to reasonably anticipate when a mitigation Project is likely to succeed.
- 8.110 Of specific concern, as raised in the Relevant Representation, is the approach undertaken in respect of the tree bat roost surveys.
- 8.111 Where static bat detector surveys within the Order Limits recorded barbastelle bat activity above a defined threshold, robust roost survey methods were employed, including aerial backtracking surveys, and radio-tracking.
- 8.112 The level of tree roost survey was undertaken at only 12 discrete locations, which covers only a fraction of the overall potential for bat roost tree impacts. This creates a survey deficit which appears to be justified by the supposition that:
- I) barbastelle are a more important conservation concern than other bat species (despite the roosts of other species having equivalent legal protection); and
  - II) The Natural England bat mitigation licensing process would ultimately and inevitably result in a neutral or positive impact outcome.
- 8.113 This approach is considered flawed because it lacks the appropriate evidence to support it.
- 8.114 The impacts on all protected bat species need to be assessed with reasonable confidence and the proposed mitigation considered appropriate, prior to determination, to support a lawful decision. Supposing that a greater level of roost tree survey is not feasible pre DCO, it is advised that an evidence-based, worst-case scenario estimation of the bat tree roost impact, and the design of a more confidently proportionate bat tree roost mitigation/compensation scheme.

- 8.115 Should the ExA decide to grant the DCO prior to the completion of the required assessments, they would need to satisfy themselves that they have complied with all relevant legislation including the Conservation of Species and Habitats Regulations 2017 as amended.
- 8.116 NGET have proposed a Biodiversity Net Gain (BNG) scheme. It is understood this would inform the area habitats, hedgerow, and watercourse compensation requirements. Additionally, the BNG scheme would deliver new habitat creation/enhancement that would provide a 10% increase in respective habitat units over the baseline habitat unit calculations as calculated via BNG Metric. Details remain unresolved regarding where off-site habitat creation would be sited and whom would be responsible for management and monitoring.
- 8.117 Whilst appreciating that legal BNG obligations have not yet been introduced for NSIPs, CCC wishes to emphasise the importance of BNG being delivered on-site wherever possible. Where this is not possible, off-site but local BNG should be delivered, with biodiversity credits only purchased when on-site and off-site delivery options have been exhausted to the satisfaction of the Council. BNG has a narrow focus on habitats, and designing BNG habitat unit creation that also provides improvements for targeted species groups would require focused planning. Assurance is sought that BNG habitats created or enhanced would have a minimum of 30 years secured for management.
- 8.118 The Project would lead to construction impacts that would involve the considerable removal of trees, hedgerows and planting. Whilst in theory, replacement mitigation replanting could limit this impact, in practice, it would take many years to mature to a level where the pre-existing conditions would be reinstated. The effect would not be experienced by residents within the area as a temporary loss of planting.
- 8.119 Concerns are raised that most predicted habitat impacts are being regarded as temporary and ultimately of negligible significance because of the commitment to restore the habitats after the construction phase of the Project. This temporary habitat loss reasoning is also applied to certain protected species/ species of conservation concern impact assessments (e.g. bat foraging and commuting).
- 8.120 For long-term assessments, this approach is not unreasonable in principle. Yet, the potential short-medium term impacts on local fauna species populations are under-emphasised, as is the potential that not all habitat restoration may be successful to a like-for-like standard. The 5-year post completion time limit for habitat re-establishment is minimal, and it is considered that such short-term involvement in the habitat restoration is unlikely to result in comprehensive success.
- 8.121 If the habitat re-establishment is not as successful as assumed within the ES, then habitat and protected species (e.g. bats and breeding birds) impacts from the Project would be higher than predicted resulting in more harm. With respect to habitats, a commensuration portion of the proposed BNG would comprise compensation as opposed to net gain which is not supported. The 5-year post completion time limit needs to be increased to appropriately account for such change.
- 8.122 If increasing the 5-year time limit for habitat re-establishment works is not feasible, then an evidence-based replacement planting failure percentage should be factored into the planned mitigation so that the 'negligible' habitat and protected species impact assessments are cushioned and more reliable.

- 8.123 Concerns are raised that replacement and reinstatement plantings may not be suitably managed or replaced until reliably established, given that the 5-year post completion time limit for habitat reinstatement is considered too short. Where the Projects replacement planting would be outside of NGET's land control, only 5-years post completion time monitoring would be achievable. A mutually agreed replacement planting failure percentage would need to be factored into the compensation requirement.
- 8.124 Commitment to ensuring a high-quality Ecological Clerk of Works (ECoW) oversight of the Project is considered one of the best means of avoiding significant mitigation failures.
- 8.125 No objections to the other mitigation measures and compensation commitments made, which are expected to be finalised in consultation with the LPAs and secured by Requirements of any DCO made (e.g. outline CoCP and LEMP).
- 8.126 Separately CCC is engaging with NGET to explore whether replacement and tree compensation can be undertaken within Chelmsford, details of which are provided within the comments relating to arboriculture.

## **Arboriculture**

### **Local Policy**

- 8.127 Locally Policies DM16 – Ecology and Biodiversity and DM17 - Trees, Woodland and Landscape features seek to protect ecological and biodiversity features, including trees, woodland and the landscape, from adverse impacts and effects and set out the circumstances where development may be granted.

### **National Policy**

- 8.128 Paragraph 4.6.6 of NPS EN-1 (2023) states that Energy NSIP proposals, whether onshore or offshore, should seek opportunities to contribute to and enhance the natural environment by providing net gains for biodiversity, and the wider environment where possible.
- 8.129 Paragraph 4.6.13 of NPS EN-1 (2023) states inter alia that development may deliver environmental gains such as the enhancement, expansion or provision of trees and woodlands.
- 8.130 Paragraph 5.11.27 of NPS EN-1 (2023) states inter alia that existing trees and woodlands should be retained wherever possible... the Applicant should assess the impacts on, and loss of, all trees and woodlands within the Project boundary and develop mitigation measures to minimise adverse impacts and any risk of net deforestation as a result of the scheme. Mitigation may include, but is not limited to, the use of buffers to enhance resilience, improvements to connectivity, and improved woodland management. Where woodland loss is unavoidable, compensation schemes will be required, and the long-term management and maintenance of newly planted trees should be secured.
- 8.131 Paragraphs 5.4.14 and 5.4.15 of NPS EN-1 (2023) place conservable importance on the retention of ancient woodland, ancient trees, veteran trees and other irreplaceable habitats. This is echoed by Paragraph 5.4.53 which states that The Secretary of State should not grant development consent for any development that would result in the loss or deterioration of any

irreplaceable habitats, including ancient woodland, and ancient and veteran trees unless there are wholly exceptional reasons and a suitable compensation strategy exists.

8.132 NPS EN-1 (2025) places the same importance on retaining ancient woodlands and minimising arboricultural impacts, but requires these impacts to be considered in the clean power 2030 objective and schemes of critical national priority. NPS EN-1 (2025) also places a greater emphasis on compensation planting as a legitimate response to unavoidable impacts.

8.133 The NPPF (2024), Paragraph 136 states, that existing trees should be retained wherever possible.

### **Consideration, assessment and adequacy of the DCO**

8.134 Chelmsford has been combined with different Councils (section F and G within A13.6.2), meaning it is difficult to establish the specific arboricultural loss to Chelmsford.

8.135 It appears that there would be a significant and unacceptable impact upon arboriculture. It is difficult to establish where the trees are demarked and whether individual trees are marked to be removed, managed, potentially affected and unaffected.

8.136 The Arboricultural Impact Assessment is not in accordance with BS:5837:2012. There are omissions within the report and contradictory or limited references between the report and the accompanying plans, such that a full assessment of the impacts of the Project cannot be carried out.

8.137 CCC is concerned that the Ancient Woodland and Veteran Tree Strategy identifies a number of high-ranking trees and features within category A that would be removed, together with a large loss of high priority habitats. It is understood that two veteran trees next to Langleys in Great Waltham may be removed. The reason for the removal of these trees is unclear, and the loss of irreplaceable habitat and the mitigation has not been adequately justified.

8.138 The proposed loss to trees and woodland along the Project has not been appropriately justified or mitigated. A draft Arboricultural Method Statement should be produced to demonstrate what mitigation is required to appropriately protect retained trees.

8.139 Appropriate arboricultural justification for any losses and/or impacts would need to be compensated for. Direct and indirect impacts that would lead to damage or loss of ancient woodland habitat or veteran trees must be avoided. There is no appropriate mitigation for the loss of irreplaceable habitats.

8.140 CCC is not convinced that NGET would be able to adhere to the standing advice from Natural England and Forestry Commission which proposes 15m buffer zones on distance between development and ancient woodlands.

8.141 As shown on page of Document 6.4 of the ES Project Description (APP-130), item 6, the LoD and Order Limits have been widened between TB128 and TB133 to allow flexibility to change the alignment to reduce effects on the Lyonshall Minerals Site should it be progressed. This movement would bring the alignment closer to Lyonshall Ancient Woodland, leading to potential loss and harm to Ancient Woodland and protected trees and it is unclear if the above buffer zones can be adhered to.

8.142 Mitigation planting would take many years to mature to a level where the pre-existing conditions would be reinstated and would not be experienced by residents within the area as a temporary loss of planting.

8.143 It is acknowledged that NGET is committed to replacement planting on a 3:1 ratio using stock of native species (taking into consideration any associated risk of pest and disease). An adequate programme of maintenance and aftercare to ensure successful establishment is also expected to comply with British Standard BS:8545.

8.144 CCC has an existing tree planting scheme which is operated as part of implementing our ambition in the Council's Climate and Ecological Emergency Action Plan -, Tree planting planning advice note. The scheme seeks to secure three new trees planted for every new home in the Local Plan.

8.145 CCC is working with NGET and other Host Authorities to explore the provision of offsite planting within the Chelmsford administrative area and will report back to the ExA once further information becomes available.

## **Health and Wellbeing**

### **Relevant Policies**

#### **Local policy and evidence base: Adopted and Submission Chelmsford Local Plan**

8.146 Policies DM23- High Quality and Inclusive design, DM29 – Protecting Living conditions and Policy DM30 Contamination apply. The policies seek to ensure that development Projects are well designed and safeguard the living environment of any nearby residential properties, ensure that the Project is compatible with neighbouring or existing uses within the vicinity of the site and do not cause contamination.

8.147 The policies have been retained and amended in accordance with the NPPF and form part of the Submission Local Plan, with new Policy S14 relating to Health and Wellbeing being applicable to this Project.

### **National Policy**

8.148 The following apply:

- Overarching National Policy Statement for Energy (EN-1)
- National Policy Statement for renewable energy infrastructure (EN-3)
- National Policy Statement for electricity networks infrastructure (EN-5)
- National Planning Policy Framework
- National Planning Policy Guidance

8.149 Health and Wellbeing is considered in 5.12.1 of EN-1 2023. It states that excessive noise can have wide-ranging impacts on the quality of human life and health such as annoyance, sleep disturbance, cardiovascular disease and mental ill-health. It can also have an impact on the environment and the use and enjoyment of areas of value such as quiet places and areas with high landscape quality.

8.150 EN-1 2025 at paragraph 4.4.6 states that opportunities should be taken to mitigate indirect impacts by promoting local improvements to encourage health and wellbeing. This includes potential impacts on vulnerable groups within society and impacts on those with protected characteristics under the Equality Act 2010, i.e. those groups which may be differentially impacted by a development compared to society as a whole. Paragraph 5.12.1 of 2025 repeats paragraph 5.12.1 of 2023.

8.151 Paragraph 187 of the NPPF states that planning policies and decisions should contribute to and enhance the natural and local environment by: e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions.

### **Consideration and Adequacy of the DCO**

8.152 The main considerations for health and wellbeing are the visual impact, in terms of whether or not the pylons and overhead lines would be physically overbearing to residents, the perceived health impacts and any noise nuisance arising from the long-term positioning of the pylons close to residential properties.

8.153 Projects of this scale have the responsibility and means to ensure they achieve the best possible outcome with regard to the impact upon health and wellbeing. It is essential that NGET genuinely engages with the local communities, parish and town councils and vulnerable persons.

8.154 Visually, the siting of pylons close to residential properties would have a harmful and unacceptable impact upon the occupant's amenities, both visually and spatially, where the pylons would have an overbearing and dominant impact upon the properties.

8.155 The Project Order Limits pass through a rural environment, with numerous residential properties located either directly adjacent to, or in close proximity to, the Order Limits.

8.156 Rural areas consistently exhibit lower ambient/background sound levels than urban areas, particularly during night-time periods when traffic and human activity reduce significantly. In such low-ambient environments, small absolute increases in noise are more noticeable and can result in greater perceived impact, audibility, and annoyance.

8.157 As a result, construction activities have the potential to cause significant effects on nearby residents and wildlife. It is therefore imperative that construction activities (and associated noise impacts) are appropriately controlled, as reinforced by Paragraph 5.12.18 of EN-1 (2023).

8.158 There are a number of residential properties and other sensitive receptors sited within 200 metres of the proposed pylons, overhead lines and construction areas. The dwellings most affected, and the pylon numbers are listed below:

- TB124 – 120 m from Annex, Valentines, Boreham Road, Gt Leighs
- TB124 - 158 m from Glebelands, Boreham Road, Gt Leighs
- TB124 – 164 m from 3 Cole Hill Cottages, Boreham Road, Great Leighs (semi detached pair with Porchleigh Cottage)

- TB138 – 156 m from Chatham Hall Bungalow, Chatham Hall Lane, Little Waltham
- TB138 – 183 m from Albion House, Braintree Road, Little Waltham
- TB141 – 72 m from Windmill House, Chelmsford Road, Great Waltham
- TB141 – 117 m from The Red House, Chelmsford Road, Great Waltham
- TB141 – 144 m from Little Bakers Cottage, Chelmsford Road, Great Waltham
- TB141 – 183 m from 1 Lace Cottages Chelmsford Road Great Waltham (semi-detached pair with 2 Lace Cottages)
- TB141 – 197.6 m from Sweet Briar, Chelmsford Road, Great Waltham
- TB141 – 177.4 m from Corner Cottage Chelmsford Road, Great Waltham (semi-detached pair with Meadowview)
- TB141 – 180 m from Larks Lodge, Larks Lane, Great Waltham
- TB142 – 194 m from Balls Farm, Larks Lane, Great Waltham
- TB142 – 187 m from Rievers, Larks Lane, Great Waltham
- TB143 – 152 m from Balls Farm, Larks Lane Great Waltham
- TB144 – 154 m from Rose Cottage, Larks Lane, Great Waltham
- TB155 – 200 m from Springwood, Mashbury Road, Chignal St James
- TB156 – 185 m from Springwood, Mashbury Road, Chignal St James
- TB156 – 200 m from Brittons Hall Farm Mashbury Road, Chignal St James
- TB162 – 185 m from The Haven, Roxwell Road, Writtle
- TB162 – 182 m from Bylake Kennels, Roxwell Road, Writtle
- TB169 – 147 m from Range Cottage, Ongar Road West, Writtle
- TB171 – 140 from Annex at Halfway House, Highwood Road, Writtle
- TB171 – 200 m from Caravan at Littlefield, Highwood Road, Writtle
- TB174 – 190 m from Green Acre, Bumpsteads Farm, Margaretting Road, Writtle
- TB174 – 197 m from Victors Croft, Nathans Lane, Writtle
- TB175 – 191 m from The Willows, Nathans Lane, Writtle
- TB179 – 200 m from Copfold Hall Farm, Writtle Road, Margaretting
- TB180 – 180 m from Inner Lodge, Writtle Road, Margaretting
- TB181 – 193 m from Hoopers, Ivy Barns Lane, Margaretting (semi-detached pair with Ivy Barns)
- TB182 – 169 from Marshalls Farm, Handley Green Lane, Margaretting
- TB182 – 170 m from Handley Green Barn, Handley Green Lane, Margaretting
- TB182 - 187m from Handley Green House, Handley Green Margaretting
- TB192 – 131m from Buttsbury Hall farm, Ingatestone Road, Stock
- TB193 - 120 m from White Tyrells Cottages, Ingatestone Road, Stock

8.159 Other sensitive receptors include Sturgeons Farm, Writtle which is operated by Writtle University College and is sited close to pylons TB164 – TB167.

8.160 The effect and impact of Electro Magnetic Field (EMF) are material to the consideration of the Project; which should not be granted unless the ExA is satisfied that the Project is compliant with all relevant legislation.

8.161 The proposed working hours raise concern due to their extended nature, in particular at weekends and bank holidays. In Chelmsford normal working hours are 08:00 to 13:00 on Saturdays, with no working on Sundays or bank holidays. The proposed hours of 07:00 to 17:00 over all days the weekend/holiday is a significant increase and raises concern due to the lack of respite from noise for residents. These hours of working are not accepted by CCC.

8.162 CCC consider that if more reasonable construction working hours were adopted, such as Monday to Friday 07:00–19:00 and Saturday 08:00–13:00, in line with the recommended limits set out in BS 5228-1, the likely impacts on affected properties would be reduced.

8.163 The ES concludes that no additional mitigation is required beyond embedded measures and proposes no health and wellbeing monitoring. Given the scale and duration of construction and the socio-economic characteristics of affected communities (see below), CCC recommends consideration of establishing of a Health and Wellbeing Monitoring Framework to promote best practice. This Framework should include baseline data on active travel, access to green space, amenity satisfaction and mental wellbeing; define clear indicators and reporting intervals; and be co-developed with local communities.

8.164 Consideration should be given to temporal mitigation as stated within the noise and vibration section of this LIR below.

## Cultural Heritage

### Relevant Policies

#### Local policy and evidence base: Adopted and Submission Chelmsford Local Plan

8.165 Policy S3 – Conserving and Enhancing the Historic Environment applies. This seeks to protect the historic environment and the countryside from harmful development and set out the circumstances where development may be granted.

8.166 Policies DM13 – Designated Heritage Assets and DM14 – Non-Designated Heritage Assets apply to designated and non-designated heritage assets and DM15 relates to archaeology. The policies seek to protect heritage assets from harm and set out the circumstances where development affecting these features will be granted.

8.167 The policies have been retained and amended in accordance with the NPPF and form part of the Submission Local Plan.

### National Policy

8.168 The following apply:

- Overarching National Policy Statement for Energy (EN-1)
- National Policy Statement for renewable energy infrastructure (EN-3)
- National Policy Statement for electricity networks infrastructure (EN-5)
- National Planning Policy Framework
- National Planning Policy Guidance

8.169 Paragraph 5.9.1 of NPS EN-1 (2023) states that the construction, operation and decommissioning of energy infrastructure has the potential to result in adverse impacts on the historic environment above, at, and below the surface of the ground.

8.170 Paragraph 5.9.2 of EN-1 (2023) states that the historic environment includes all aspects of the environment resulting from the interaction between people and places through time,

including all surviving physical remains of past human activity, whether visible, buried or submerged, landscaped and planted or managed flora. Those elements of the historic environment that hold value to this and future generations because of their historic, archaeological, architectural or artistic interest are called 'heritage assets'.

- 8.171 A heritage asset may be any building, monument, site, place, area or landscape, or any combination of these. The sum of the heritage interests that a heritage asset holds is referred to as its 'significance'. Significance derives not only from a heritage asset's physical presence, but also from its setting,
- 8.172 Paragraph 5.9.30 of EN-1 (2023) states 'Substantial harm to or loss of significance of assets of the highest significance, including Scheduled Monuments; [...] Registered Battlefields; grade I and II\* Listed Buildings; grade I and II\* Registered Parks and Gardens; and World Heritage Sites, should be wholly exceptional'.
- 8.173 Paragraphs 5.9.32 and 5.9.33 of EN-1 (2023) state 'Where the proposed development will lead to less than substantial harm to the significance of the designated heritage asset, this harm should be weighed against the public benefits of the proposal, including, where appropriate securing its optimum viable use' and 'In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset'.
- 8.174 Overall, Section 5.9 of EN-1 (2023) requires impacts (both direct and indirect) to be understood, and harm avoided or minimised through design and mitigation, with loss of archaeological assets preserved by record where justified.
- 8.175 NPS Policy EN-1 (2025) retains the protection of heritage assets, but requires them to be considered within the Clean Power 2030 objective and critical national priority Projects.
- 8.176 The NPPF (2024) places significant weight on the protection of heritage assets; Paragraph 212 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 8.177 Paragraph 213 of the NPPF states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of: a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional; b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.
- 8.178 Paragraph 214 of the NPPF states that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply: a) the nature of the heritage asset prevents all reasonable uses of the site; and b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and c) conservation by grant-funding or

some form of not for profit, charitable or public ownership is demonstrably not possible; and d) the harm or loss is outweighed by the benefit of bringing the site back into use.

8.179 Paragraph 215 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

8.180 Paragraph 216 of the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

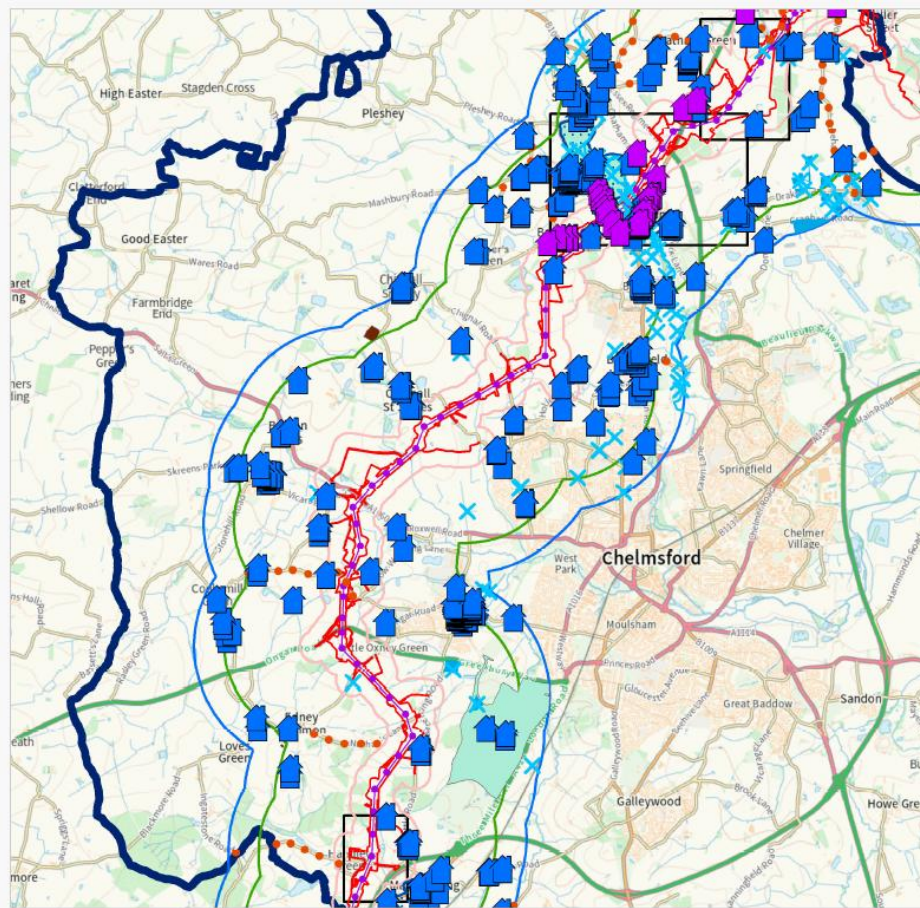
### **Consideration and Adequacy of the DCO**

8.181 The main issues relate to the impact of the development on designated and non-designated heritage assets, protected lanes. CCC also wishes to ensure that adequate mitigation is secured.

8.182 Comments relating to Great Waltham and Little Waltham should be read in conjunction with this section.

8.183 The proposed development would introduce vast incongruous features of industrial character into a rural landscape, which would have considerable significant moderate and major adverse impacts upon the historic environment.

8.184 CCC's rich cultural heritage can be viewed on the map below:



## Methodology

- 8.185 Generally, the detailed heritage assessment work and the clear and concise way that it is presented within the supporting evidence is welcomed. All relevant designated heritage assets within the 2km and 3km zones are identified. The methodology for assessment is supported.
- 8.186 Yet, the Project underestimates the impacts on many designated heritage assets, with additional impacts identified by CCC. These include minor effects to three Grade II listed buildings of moderate value, moderate and significant effects on eight Grade II listed buildings of medium value, one major/moderate and significant effects on a Grade II listed building of medium value and one moderate and significant effect on a Grade I listed building of high value.
- 8.187 Non-designated heritage assets are not adequately considered in the assessment work. Given Chelmsford's rich historic environment, there are many non-designated heritage assets of low-moderate value, which should be identified and the impacts on their settings fully considered. The approach to discount low value heritage assets is not supported, given the potential for significant impacts.
- 8.188 The lack of assessment is contrary to paragraph 5.9.7 of EN-1 which states that the Secretary of State should also consider the impacts on other non-designated heritage assets (as identified either through the development plan making process by plan-making bodies, including 'local listing', or through the application, examination and decision-making process). This is on the basis of clear evidence that such heritage assets have a significance that merits

consideration in that process, even though those assets are of lesser significance than designated heritage assets.

8.189 EN-1 (para) 5.9.33 goes on to say a balanced judgement should be carried out and in weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

8.190 Protected lanes are identified, but their settings are not considered. This is particularly important at Larks Lane, Paulk Hall and Goodmans Lane.

8.191 Some locally listed buildings are included, but designated landscapes and other buildings and features of sufficient interest to be considered as non-designated heritage assets are not comprehensively identified and should fully inform the assessment baseline. These include the following:

- Coptfold Hall locally designated landscape
- WWII GHQ defence line (pillboxes)

### **Description of Construction Impacts**

8.192 The Project is predicted to lead to a high adverse magnitude of impact resulting in a temporary moderate adverse residual significance of effect, which is significant, due to changes in its setting that affect its value during the construction phase of the Project at Balls Farmhouse, Great Waltham (1305428), a Grade II listed building.

8.193 Six medium value Grade II listed buildings [+ 1 high value grade II\* and three medium value grade II within the Chelmsford section of section G] and one medium value registered park and garden are predicted to experience a medium adverse magnitude of impact resulting in a temporary moderate adverse residual significance of effect, which is significant, due to changes in their settings that affect their values during the construction phase of the Project:

- The medium value registered park and garden 'Langleys' (1000241)
- The medium value Grade II listed 'Granary and Cart Lodge at Southwoods Farm' (1237420)
- The medium value Grade II listed 'Barn at Southwoods Farm' (1237421)
- The medium value Grade II listed 'Newney Hall' (1237228)
- The medium value Grade II listed 'Sturgeons House' (1237071)
- The medium value Grade II listed 'Southwoods' (1237174)
- The medium value Grade II listed 'Barn Immediately North-West of Coptfoldhall Farmhouse' (1247784)
- The high value Grade II\* listed 'Church of St Mary' (1264434)
- The medium value Grade II listed 'Ingatestone [bridge] Over the River Wid (That Part in Chelmsford District)' (1207790)
- The medium value Grade II listed 'Margaretting Hall' (1152104)
- The medium value Grade II listed 'White's Tyrrells Farmhouse' (1236733)

8.194 One high value Grade I listed building, three high value Grade II\* listed buildings, 60 medium value Grade II listed buildings, one high value scheduled monument and two medium value conservation areas are predicted to experience a negligible/low adverse magnitude of impact

resulting in a temporary minor/negligible adverse residual significance of effect, which are not significant, due to changes in their settings that affect their values during the construction phase of the Project.

8.195 No impacts to built non-designated heritage assets are identified but would be present.

### Description of Permanent Impacts

8.196 The following medium value Grade II listed buildings [+ 1 high value grade II\* and two medium value grade II within the Chelmsford section of section G] and one medium value registered park and garden are predicted to experience a medium adverse magnitude of impact resulting in a permanent moderate adverse residual significance of effect, which is significant, due to changes in their settings that would affect their values during the operation (and maintenance) phase of the Project:

- The medium value Grade II listed 'Balls Farmhouse' (1305428)
- The medium value registered park and garden 'Langleys' (1000241)
- The medium value Grade II listed 'Granary and Cart Lodge at Southwoods Farm' (1237420).
- The medium value Grade II listed 'Barn at Southwoods Farm' (1237421).
- The medium [high] value Grade II\* listed 'Church of St Mary' (1264434)
- The medium value Grade II listed 'Margaretting Hall' (1152104)
- The medium value Grade II listed 'White's Tyrrells Farmhouse' (1236733).

8.197 One high value Grade I listed building, three high value Grade II\* listed buildings, 64 medium value Grade II listed buildings, one high value scheduled monument, and two medium value conservation areas are predicted to experience a negligible/low adverse magnitude of impact resulting in a permanent minor/negligible adverse residual significance of effect, which is not significant, due to changes in their settings that affect their values during the operation (and maintenance) phase of the Project.

8.198 No impacts to built non-designated heritage assets are identified, which are further identified below.

### Other Harm

8.199 There are areas with permanent significant impacts are identified at Balls Farm, Great Waltham (1305428), Langleys Registered Park and Garden (1000241), Southwoods Farm, Writtle (1237420 and 1237421), Margaretting Hall (1152104), the Church of St Mary, Stock (listed grade II\*, 1264434) and White's Tyrrells Farmhouse, Stock (1236733). No additional mitigation is proposed, but it is essential.

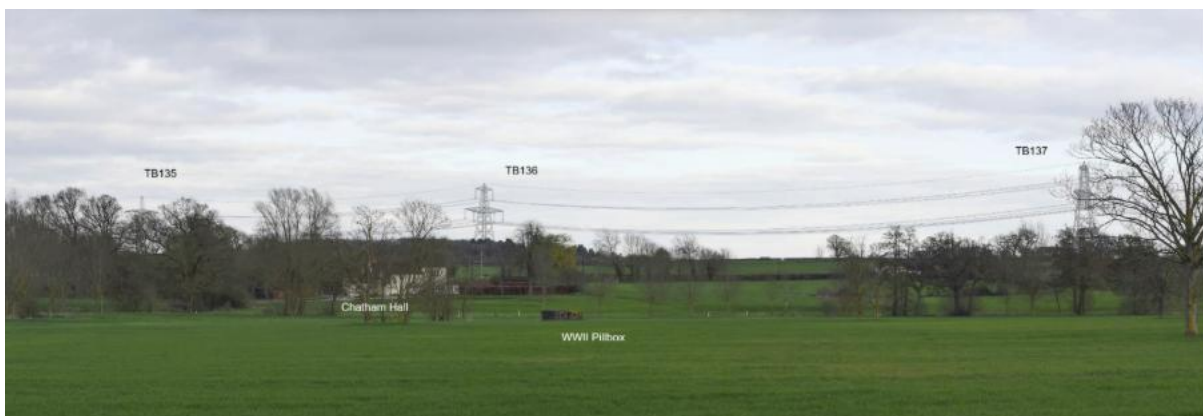
### Areas of outstanding information or findings disagreed with:

8.200 Much of the detailed heritage assessment, including the levels of significance and impacts are concurred with. There are some areas where the findings are not agreed or the evidence base is not complete. These are identified below.

### Designated Heritage Assets

8.201 The following buildings are scoped into the assessment, but the level of impact is not concurred with:

- **Brickfields** (1122129, identified as Bishops Hall Cottage) is a small C17/C18 thatched roof cottage. Its rural setting makes a moderate contribution to its significance. Its heritage value of medium is agreed. It is not agreed that its setting does not include the development consent area. The woodland screening to the south partly mitigates the impact, but not fully. It is considered there would be a low impact, resulting in a minor effect.
- **Goodmans Farmhouse** (1122135) **and Barn** (1171336) – medium impact on setting (rather than low), due to the considerable change to the rural landscape with which it is historically associated with, existing trees do not fully mitigate the impacts, particularly in winter months. Resulting in a moderate effect, which is significant.
- **Stonage Farmhouse** (1172474) **and Barn** (1122042) – low level of harm not agreed – medium level due the change to the rural setting with which the buildings are historically associated, existing trees do not fully mitigate the impacts, particularly in winter months, resulting in a moderate effect, which is significant.
- **Chatham Hall** (1338512) - low level of harm not agreed – medium level due the change to the rural setting, existing trees do not fully mitigate the impacts, particularly in winter months, as demonstrated in viewpoints HE8c and 16.16, resulting moderate effect, which is significant.



**View HE8C of Chatham Hall**

- **Church of St Mary and St Laurence** (1122058) Great Waltham is excluded. It is not agreed the setting does not extend to the order limits. The wider rural setting of the village is part of how the church is experienced and there are important views of the church tower from the north/northwest/northeast where the proposed pylons would be visible as a distant backdrop (as shown in visualisation HE15e), which would impact on how it is experienced as a rural village church. Due to the screening and distance the impact would be low to an asset of high significance, therefore resulting a moderate to minor effect, which is significant.



***Views towards Great Waltham from Pleshey Road to the north (Visualisation HE15e)***

- **Rose and Crown, Great Waltham (1122116)** – low impact on setting (rather than negligible) resulting in a minor effect, due to change to rural setting with partial screening.
- **Lace cottage, Great Waltham (1122117)** – medium impact (not low) due to change to rural setting with limited screening, resulting in a moderate effect, which is significant.
- **Great Waltham Conservation Area (CA55)** – There would be notable harm to the setting of the Conservation Area by erosion of its rural setting which makes a considerable contribution to its significance, resulting a medium level of harm (not low), which would amount to a moderate effect, which is significant.
- **Little Waltham Conservation Area (CA56)** – There would be notable harm to the setting of the Conservation Area by erosion of its rural setting which makes a considerable impact on its significance, resulting a medium level of harm (not low), which would amount to a moderate effect, which is significant.
- **Balls Farmhouse (1305428)** – high impact on setting (rather than medium) due the comprehensive change to the rural landscape setting (i.e. see viewpoint HE16) which it is historically associated with and makes a considerable contribution to its setting, resulting in a major/moderate effect, which is significant.



***View from Chelmsford Road towards Balls Farm, Great Waltham (Visualisation HE16(ii)B).***



***View from Larks Lane to Balls Farm, Great Waltham, Pylon TB143 would form a back drop to it.***

- 1 and 2 Larks Lane, Great Waltham (122083). low impact (rather than none) due to impact rural setting, resulting in a minor effect.
- Vault West of Partridge Green Farm (1306289) – considerable to change to the sense of an isolated rural setting, giving a medium impact on setting (rather than low), resulting in a medium effect which is significant.
- Coptfold Hall Barn (1247784) – medium impact (rather than low) due to impact on the rural setting with which the asset is historically associated, even with partial screening by adjacent modern farm buildings, resulting a moderate effect, which is significant.

### **Non-Designated Heritage Assets**

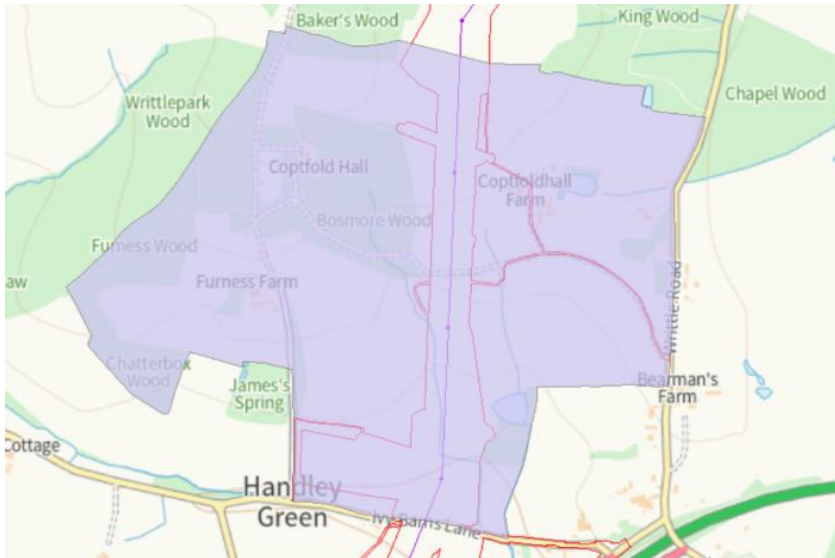
8.202 With regard to non-designated heritage assets, the following impacts are identified:

#### *Protected Lanes*

- 8.203 Protected Lanes are identified within the evidence base, but they are considered as archaeological features and their settings not assessed. They should be considered as non-designated heritage assets and the contribution of setting to significance considered.
- 8.204 Boreham Road (Great Leighs), Newney Green (Writtle), Scurvey Hall Lane (Great Waltham) Nathans Lane (Highwood) and Ivy Barns Lane (Margaretting) are agreed to be of low value, but with a low magnitude of impact resulting due the change to their settings, resulting in a negligible effect.
- 8.205 Larks Lane (Great Waltham) is agreed to be of low value, but it is considered there would be a medium impact on its significance because the pylon routes influences much of the length of the lane and how it is experienced in a rural landscape, resulting in a minor effect.
- 8.206 Goodmans Lane and Paulk Haul Lane (Great Leighs) are considered to be of medium value because they have considerable character, a high degree of surviving features (scoring highly on the ECC protected lanes assessment - 22 and 21 respectively, 14 being the threshold for protected lane status) and have group value with the designated heritage assets at Hole Farm and Goodmans Farm. A notable amount of the experience of the assets would be affected -the impact is medium, therefore resulting in a moderate effect, which is significant.

#### *Non-Designated Landscapes*

8.207 Coptfold Hall has a designed landscaped originating from the eighteenth and nineteenth centuries, including woodlands, agricultural land, gardens and historic buildings. It is included on the Essex Gardens Trust Register of Designed Landscapes and should be considered as a non-designated heritage asset in accordance with Chelmsford Local Plan Policy DM14. The proposed route passes directly through the landscape and its heritage value should be acknowledged. The landscape is considered to be of low heritage value, the impacts high, resulting in permanent significant impacts of a moderate level, together with impacts on the setting of the listed barn and non-designated farmhouse.



***Coptfold Hall non-designated landscape (purple)***

*WWII GHQ Defences Line*

8.208 A group of WWII pillboxes and archaeological remains of WWII defensive features forming part of the GHQ defence line are adjacent the proposed route between Little Waltham and Great Waltham. The assessment identifies these as being of low value individually, but a group of medium value. Their setting is not assessed, only their historic interest. It is considered the group value, intervisibility and overlapping lines of fire, together with the rural setting contribute to the setting of and significance of the pillboxes. The close proximity of the proposed route would impact on their setting, even taking account of the B1008. With a medium value and medium impact, resulting in a moderate effect, which is significant.



**WWII features Great Waltham/Little Waltham**

### Non-Designated Buildings

8.209 In addition to those buildings on the local list, other non-designated built heritage assets within the 250m zone should also be identified and assessed. This is particularly important where the local list does not currently cover relevant parishes – Great Leighs, Great Waltham, Little Waltham, Stock, Margaretting and Roxwell.

8.210 The following non-designated heritage assets should be included within the assessment:

#### *Great Leighs*

- **The Old Rectory, Boreham Road.** Built 1869, of stock brick with stone dressings, former rectory built for Rev. William Kay. The rural setting makes a moderate contribution to its setting. Low heritage value, Low Impact of Projects, resulting in negligible effect.
- **Bishops Hall Cottage,** is a vernacular cottage of early nineteenth century or earlier origins, altered and extended. The rural setting makes a moderate contribution to its significance. It is of low heritage value and the impact on its setting would be low, resulting in a negligible level effect.
- **Valentines, Boreham Road.** Early-mid nineteenth century timber framed cottage. The rural setting makes a moderate contribution to its setting. The development consent order is directly adjacent to the site. Partial screening by trees and vegetation, but notable removal to the south for the scheme. Low heritage value, impact of Projects moderate, resulting in a minor effect.
- **Porchleigh and 3 Coles Hill Cottages.** Mid-nineteenth century cottages. The rural setting makes a moderate contribution to their setting. The development consent order is directly adjacent to the site. Partial screening by trees and vegetation, but notable removal to the north for scheme. Low heritage value, impact of Projects moderate, resulting in a minor effect.



**Great Leighs, Boreham Road/Cole Hill – Bricksfields (grade II listed, Bishops Hall Cottage, Valentines, The Old Rectory, Valentines, Porchleigh and 3 Coles Hill Cottages (non-designated heritage assets)**

- 1 and 2 Lowleys Cottages, Goodmans Lane. Late C19 farmworkers cottages. The rural setting makes a moderate contribution to its setting. Low heritage value with a negligible impact on setting, resulting in negligible effect.
- Chatham Hall Lodge, Braintree Road. C18 and C19 Cottage. Low heritage value. Partly screened. Low impacts, resulting in negligible level harm.
- Little Stonage Farm, Scurvy Hall Lane. C18/19 farmhouse. Well screened. Low heritage value, Negligible impact resulting in negligible level harm.
- WWII Auxiliary Unit Operational Base, south of Goodmans Lane (6088). High heritage value agreed. The assigned Low impact not agreed, because the isolated and rural setting makes a considerable contribution to the significance of the asset, the order limit is 50m away therefore resulting in a medium impact resulting in major/moderate effect, which is significant.



## ***Location of WWII Auxiliary Unit (6088) southwest of Goodmans Farm***

### *Little Waltham*

- **Albion House, Braintree Road.** C17 timber framed house. Medium heritage value as a good example of rural vernacular house. There would be considerable change to its setting, with a backdrop of pylons in key views from Braintree Road, resulting in a medium impact, giving a moderate effect, which is significant.
- **Cresseners, Chatham Hall Lane.** Early C20 cottage. Low heritage value. Low impact, resulting in a negligible effect.
- **Little Waltham Church of England Primary School and School House, 146 The Street, Little Waltham.** Mid C19 school and school masters' house. Low heritage value. Low impact, resulting in a negligible effect.
- **The Cottage, 144 The Street, Little Waltham.** C19 house. Low heritage value. Low impact, resulting in a negligible effect.
- **126 The Street, Little Waltham.** C18/early C19 thatched cottage. Low heritage value. Low impact, resulting in a negligible effect.
- **98 The Street, Little Waltham.** Late C19 house. Low heritage value. Low impact, resulting in a negligible effect.
- **82 The Street, Little Waltham.** C19 house. Low heritage value. Low impact, resulting in a negligible effect.
- **45-47 The Street, Little Waltham.** C19 cottages. Low heritage value. Low impact, resulting in a negligible effect.

### *Great Waltham*

- **Pond Cottage, Chelmsford Road, Minow End.** C19 cottage. Low heritage value. Negligible impact, resulting in a negligible effect.
- **Lake View Cottages, Chelmsford Road.** C19 Cottages. Low heritage value. Negligible impact, resulting in a negligible effect.
- **Park Cottages, Chelmsford Road.** Early C20 Cottages. Low heritage value. Negligible impact, resulting in a negligible effect.
- **Rose Cottages, Chelmsford Road.** C19 cottages. Low heritage value. Low impact, resulting in a negligible effect.
- **Little Bakers, Chelmsford Road.** C18 Cottage. Low heritage value. Medium impact, resulting in a minor effect.
- **Windmill House, Chelmsford Road.** C19 former pub. Low heritage value. High impact, resulting in a moderate/minor effect, which is significant.
- **Corner Cottage and Meadow View, Chelmsford Road.** C19 cottages. Low heritage value. Low impact due to tree screening, resulting in a negligible effect.
- **1 and 2 Poplar Cottages, Chelmsford Road.** Late C19 cottages. Low heritage value. Low impact due to distance and partial screening, resulting in a negligible effect.
- **The Red House, Larks Lane.** Early C20 house. Low heritage value. Low impact due to screening, resulting in a negligible effect.
- **Primrose Cottage, Larks Lane.** Early C19 cottage. Low heritage value. Pylons a backdrop of line in views along Larks Lane to the east resulting in a moderate impact and thus give a minor effect.
- **Plum Tree Cottage, Larks Lane.** Mid C19 cottage. Low heritage value. Low impact, resulting in a negligible effect.

- **Yellow Cottage, Larks Lane.** Early C19 cottage. Low heritage value. Negligible impact, resulting in a negligible effect.
- **Walnut Tree public house.** Late C19. Low heritage value. Its key relationship is with Broads Green, but pylons visible in the distance to the east, resulting in negligible impact and thus negligible effect.
- **Willow Cottage, Margaret Woods Road.** C16 origins. Low heritage value. Negligible harm, resulting in a negligible effect.
- **WWII Pillboxes** – medium heritage value agreed, impact on setting medium, resulting in a moderate effect, which is significant (as identified above).

### *Broomfield*

- **Scravels Farmhouse.** C17 origins. Group with listed barn. Local list. Low heritage value. Low impact, resulting in a negligible effect.

### *Chignal*

- **Beaumont Oates, Woodhill Road.** C19 farm buildings. Low heritage value. Negligible impact, resulting in a negligible effect.
- **Brittons Hall Farm, Mashbury Road.** C18 farmhouse. Local list. Low heritage value. Permanent access road adjacent. Limited screening. High impact, resulting in a moderate/minor effect, which is significant.
- **The Three Horse Shoes (formerly).** C18 pub. Local list. Low heritage value. Medium impact, resulting in a minor effect.
- **The Old Rectory, Mashbury Road.** 1834. Local list. Low heritage value. Well screened therefore negligible impact, resulting in a negligible effect.



### ***Non-designated heritage assets on Mashbury Road***

- **Pengy Mill.** C17 origins. Local list. Low heritage value. Medium impact, resulting in a minor effect.

### *Roxwell*

- **The Hare Roxwell, Roxwell Road.** C17/C18 pub. Low heritage value. Moderate impact, resulting in a minor effect.

## *Writtle*

- **Sturgeons Farm, C19 farm buildings.** Local list. Low heritage value. Low impact, resulting in a negligible effect.
- **Montpelier's Farm, Margaretting Road.** Local List. C16/17. Low heritage value. Low impact, resulting in a negligible effect.
- **Gable Cottages, Margaretting Road.** Local list. 1840. Low heritage value. Low impact, resulting in a negligible effect.
- **Ropers Farm, Margeretting Road.** Local list. C18/C19. Low heritage value. Low impact, resulting in a negligible effect.
- **Lee Farm, Highwood Road.** Local list. C18. Low heritage value. Low impact, resulting in a negligible effect.
- **Range Cottage, Ongar Road West.** Local List. Early C19, Low heritage value. Moderate impact, resulting in a minor effect.
- **Prospect Cottage, Ongar Road West.** Local list. Late C18. Low heritage value. Low impact, resulting in a minor effect.

## *Margaretting*

- **Copfold Hall Landscape.** Essex Gardens Trust site – to be considered as a landscape non designated heritage asset. Low Value. High impact, resulting in a moderate effect (as identified above).
- **Coptfold Farmhouse, Writtle Road.** C19 farmhouse. Low heritage value. Medium impact, resulting in a minor effect.
- **Furze Hill, Ivy Barns Lane.** C19 country house, now hotel. Low heritage value, minor impact, resulting in a negligible effect.
- **Handley Green Farm and Cottages.** C18/C19. Low heritage value. Medium impact, resulting in a minor effect.
- **The Old Vicarage, Church Lane.** Early C19 and C18. Low heritage value. Low impact due to screening, resulting in negligible effect.
- **Buttsbury Hall Farm, Stock Road.** C18/C19 farmhouse and farm buildings. Low heritage value. Medium impact due to considerable change to rural setting, resulting in a minor effect.

## **Construction Impacts**

8.211 The Project would lead to construction impacts that would involve the considerable removal of trees, hedgerows and planting. Their removal would have a noticeable impact upon setting. Whilst in theory, replacement mitigation replanting could limit this impact, in practice, it would take many years to mature to a level where the pre-existing conditions would be reinstated. The effect would not be experienced by residents within the area as a temporary loss of planting.

8.212 Maintenance and operation corridors would also involve considerable removal trees, hedgerows and vegetation permanently. The low height pylons to the Great Waltham/Little Waltham gap would need to be wider than the standard height pylons.

8.213 There would be notable construction impacts through noise and vibration, in areas where the development is within c.300m of heritage assets, no significant heritage effects are

predicted, but this would further emphasize the harmful impact of the development, albeit for a temporary period.

8.214 The use of the medium value Grade II listed Ingatestone [bridge] over the River Wid (1207790) should be specifically excluded from the construction access to avoid overloading or potential for impact damage.

## Mitigation

8.215 The mitigation hierarchy is set out within Chapter 5 of the ES and further defined in Chapter 11 for the Historic environment. Mitigation is categorised as follows:

- Embedded Mitigation Measures: are those that are intrinsic to and built into the design of the Project
- Standard Mitigation Measures: comprising management activities and techniques that would be implemented throughout construction of the Project to limit effects through adherence to good site practices.
- Additional Mitigation Measures: mitigation measures over and above embedded and standard mitigation measures to reduce environmental effects. This includes, but is not limited to, mitigation required for protected species.

8.216 Mitigation generally should ensure that land take is sufficient to allow for a range of mitigation options, for instance landscaping - potentially from closing up gaps in hedges or reinstatement of historic field boundaries, to large scale woodland planting where necessary. Where harm is unavoidable heritage compensatory measures should also be delivered, for instance repair of listed buildings and/or associated built and landscape features to offset harm to setting. This would be essential at Langleys, where there are a number of structures and features within the Registered Park and Garden, as well as the outbuildings and the house, which could have funded repairs to offset the acknowledged harm to the setting.

8.217 Little Waltham and Great Waltham are both picturesque villages with high quality vernacular historic buildings set within rural landscapes. The development order comes to within c.55m and c.40m of the Conservation Areas respectively. The assessment acknowledges permanent harm to their settings' but provides limited mitigation measures. Impacts are also identified to many listed buildings within the setting which should be considered cumulatively. These impacts form part of an area of high heritage sensitivity, along with Langleys and other designated and non-designated heritage assets referred to below.

8.218 Much of the detailed heritage assessment, including the levels of significance and impacts are concurred with. There are some areas where the findings are not agreed or the evidence base is not complete, which are identified below.

8.219 Additional mitigation measures are considered necessary to limit the impacts.

8.220 The Project would lead to construction impacts that would involve the considerable removal of trees, hedgerows and planting. Their removal would have a noticeable impact upon setting. Whilst in theory, replacement mitigation replanting could limit this impact, in practice, it would take many years to mature to a level where the pre-existing conditions would be reinstated. The effect would not be experienced by residents within the area as a temporary loss of planting. The use of the bridge over the River Wid (1207790) should be specifically excluded from the construction access to avoid overloading or potential for impact damage.

- 8.221 CCC is disappointed at the lack of proposed mitigation. Where significant harm has been identified further mitigation measures should be employed to reduce or limit or offset the level of harm. In most cases this will involve the positioning of the Order Limits, associated access roads and pylons further away from heritage assets to limit the impact on the rural surroundings and how assets are experienced.
- 8.222 Landscape screening has been discounted as a means of mitigation. In certain circumstances, screening is beneficial in reducing the harm caused by the intrusion of the pylons and associated works. This may include tree planting, hedge planting or infilling, reinstatement of historic field boundaries or woodland planting. Where mitigation involves replacement of vegetation, hedgerows, walls and earthworks this should be consultation with the LPA on the detail for these works.
- 8.223 Where mitigation is not feasible a range of compensatory measures should be considered to offset the harmful impact of the development.
- 8.224 CCC consider there would be a considerable impact on the historic environment which is a matter of great weight and importance. The mitigation proposed is wholly inadequate for the Project and the lack of mitigation and appropriate compensation is unacceptable.

## Conclusions

- 8.225 Overall, the proposed development would introduce vast incongruous features of industrial character into a rural landscape, which would have considerable impacts for the historic environment.
- 8.226 The assessment does not adequately take account of the local heritage features, as outlined above, there would be 15 additional non-designated heritage experiencing minor permanent effects, 2 moderate/minor effects, 4 moderate effects and 1 major/moderate effects. There would be notable significant moderate impacts on the non-designated landscape at Copt Hall, the WWII GHQ defence line at Great Waltham and the Protected Lanes at Paulk Hall and Goodmans Lanes.
- 8.227 The scheme also underestimates the impacts on many designated heritage assets, with additional impacts as outlined above, including minor effects to 3 grade II listed buildings of moderate value, moderate and significant effects on 8 grade II listed buildings of medium value, 1 major/moderate and significant effects on a grade II listed building of medium value and 1 moderate and significant effect on a grade I listed building of high value.
- 8.228 The greatest impacts are at the section of route between Little Waltham and Great Waltham, near to Langleys and its Registered Park and Garden, where the harm to the Great Waltham and Little Waltham Conservation Areas is underestimated, resulting in moderate effects, which are significant.
- 8.229 The additional harm identified, together with the other harm mean that there would be a considerable impact on the historic environment which should be fully considered and are matters of great weight and importance. The mitigation proposed is wholly inadequate.

## Archaeology

8.230 Chelmsford City Council will be guided by Essex County Council on archaeological assets within/adjacent to the site.

8.231 The Project has potential to impact on a number of known and, as yet, unknown archaeological, geoarchaeological and palaeoenvironmental deposits.

## Relevant Policies

### Local policy and evidence base: Adopted and Submission Chelmsford Local Plan

8.232 Policy DM15 of the Adopted and Submission Local Plan apply and relate to archaeology.

### National policy

8.233 Relevant legislation and policies for archaeology are largely as listed and described in the Applicants submission in Section 11.2 (Document reference APP-208-ES Chapter 11 Historic Environment).

8.234 At a national level, the following policy document (and parts thereof) is particularly relevant to the consideration of the impact on archaeology arising from the Project:

- Department for Energy Security & Net Zero, Overarching National Policy Statement for Energy (EN-1) (Updated January 2024) – Section 5.9 Historic Environment.

8.235 EN-1 section 5.9 requires impacts (both direct and indirect) to be understood, and harm avoided or minimised through design and mitigation, with loss of archaeological assets preserved by record where justified.

8.236 Paragraph 5.9.11 states ‘Where a site on which development is proposed includes, or the available evidence suggests it has the potential to include, heritage assets with an archaeological interest, the Applicant should carry out appropriate desk-based assessment and, where such desk-based research is insufficient to properly assess the interest, a field evaluation’.

8.237 From extensive discussions with the NGET, it was agreed that a field evaluation would be required to support the application and provide sufficient evidence to allow the determination of the impact of the scheme on archaeological remains. A programme of geophysical survey and trial trench evaluation have been carried out prior to submission of the application and are currently ongoing.

8.238 The intrusive fieldwork stage of the archaeological assessment will not be completed before the end of the examination period and the results of the evaluation will not be available for review prior to determination of the application. As such, the application fails to include sufficient supporting evidence from the field evaluations carried out within Essex. NGET has failed to fully comply with the policy set out in paragraph 5.9.11 with regards to archaeology and geoarchaeology and National Planning Policy Framework (NPPF) Paragraph 207 (2024).

8.239 Relevant National Legislation and Policy for archaeology are listed in Section 11.2.15 and includes the National Planning Policy Framework, (Ministry of Housing, Communities and Local Government, 2024). Archaeology is considered within Chapter 16. Conserving and enhancing the historic environment.

8.240 The following National guidance is also considered relevant for archaeology, and should have been included in section 11.2.19 for compliance:

- National Planning Practice Guidance: Conserving and Enhancing the Historic Environment (2019)

### **Assessment of Impacts**

8.241 NGET's assessment of the impacts of the Project on the historic environment have been provided taking account of all proposed mitigation measures. The overall approach to mitigating the negative effects of the development are set out in document 6.5 Environmental Statement Chapter 5 - EIA Approach and Method (Final Issue A) (APP-135) of the submission. Mitigation has been split into three types by the Applicant in relation to heritage assets: embedded, standard and additional. Descriptions of these are outlined on pages 98-100 of document 6.11 Environmental Statement Chapter 11- Historic Environment (Final Issue A) (APP-208).

8.242 The level of impact upon non-designated heritage assets, specifically archaeological remains, set out in document APP-210: 6.11.A2 Environmental Statement Appendix 11.2 - Historic Environment Assessment Tables (Final Issue A) cannot be fully agreed until further assessment on archaeological and geoarchaeological remains is completed and the information made available for review.

8.243 In terms of archaeology and geoarchaeology, significant negative impacts are anticipated from the construction phase of the development where the groundworks proposed would cause truncation of potential archaeological remains. Impacts to the historic environment, specifically archaeology, are identified as direct physical and indirect effects during construction and are listed in section 11.4.23 (APP-208). They include, but are not limited to, groundworks associated with the underground cabling, pylon bases, creation of access routes, temporary construction compounds and working/storage area and the potential impact of other associated environmental mitigation, such as ecological habitat creation or landscape planting and drainage works. It is acknowledged that standard construction methods and groundworks for ecological and drainage measures are assumed to cause removal of all near-surface archaeology within the footprint of the works 11.4.33 (APP-208).

8.244 Changes to the local water and burial environment could alter the preservation of archaeological sites within and beyond the development areas.

8.245 Deeper impacts, such as at Horizontal Directional Drilling (HDD) locations and piling for pylon bases could impact geoarchaeological sediments.

8.246 The route crosses areas where known archaeological remains are recorded on the Essex Historic Environment Record (EHER) as well as areas of unknown archaeological potential. Extensive cropmark complexes, identified through aerial photography, are recorded on the EHER along the route of the undergrounding section of the Project. Features include a probable

barrow cemetery, Roman settlement and other occupation, with some potential for nationally significant sites.

- 8.247 Geoarchaeological deposits of high potential for palaeoenvironmental remains, dating and potential for Palaeolithic remains have been identified from Ground Investigation (GI) monitoring (APP-214). There is potential for the presence of deposits which may contain Palaeolithic archaeological and geoarchaeological evidence that would contribute to national and regional research themes and priorities due to their rarity.
- 8.248 The application is supported by a suitable level of desk-based research, as listed in section 11.4.2 (APP-208).
- 8.249 Geophysical survey and archaeological trial trenching are currently ongoing. Due to access issues, the first stage of geophysical survey was not completed at the time of submission. The ES chapter concludes that “the historic environment baseline presents a reasonable basis for assessment, but further information is forthcoming.” (APP-208 Section 11.4.32). The historic environment baseline provides a reasonable basis for known archaeological remains, but potential for further archaeological remains within the Order Limits has not been fully assessed and this information would be required to provide a more comprehensive basis for assessment.
- 8.250 Despite the adequacy of desk-based research, the level of information submitted with the application fails to provide sufficient information on the nature, extent and significance of heritage assets in order to determine the impact on archaeological remains by the proposed scheme.
- 8.251 This is due to factors such as incomplete coverage of the geophysical survey and trial trench evaluation, lack of intrusive investigation to allow corroboration of the geophysical survey and lack of reporting on the trial trench evaluations that have been completed.
- 8.252 The archaeological potential of the proposed scheme area is not understood to the required level, and previously unknown archaeological remains may be present within the proposed scheme area. A high percentage of the land within the scheme remains under investigated and therefore the risk of encountering high value heritage assets remains a significant risk.
- 8.253 The assessment has followed the EIA methodology (APP-135) to determine the impact on archaeological remains listed in the Historic Environment Baseline Report (APP 209) and assigned values based largely on desk-based research. Establishing the ‘value’ and significance of below ground archaeological remains and deeply buried geoarchaeological deposits requires evaluation (geophysical survey, trial trenching, coring, and deposit modelling), as required by EN-1. For this reason, the ‘value’ of many of the archaeological remains listed is unsubstantiated and the assessment methodology cannot be effectively used on all of the assets listed in the historic environment baseline report.
- 8.254 There is general agreement with the assessment of residual effects for archaeological remains of both designated and non-designated status where they are considered significant. Yet without further information from the results of intrusive evaluation, the conclusions of the ES regarding what is significant in terms of residual effect cannot be fully determined. Specifically, those archaeological sites identified through cropmarks, finds scatters and geoarchaeological deposits. This information would be required to determine an appropriate mitigation strategy.

- 8.255 Without further evaluation in areas where there is no record of archaeological remains, the potential presence of heritage assets or their significance remains difficult to assess to the required level. Further intrusive assessment by trial trenching and geoarchaeological assessment would provide clarity on significance and reduces Project risk.
- 8.256 A number of Protected Lanes have been identified within the Order Limits. Negative impacts are anticipated on their significance from construction; in order to provide access or for underground cabling. While reinstatement of any lost trees/hedgerow following the completion of construction would assist in offsetting this negative impact, more certainty is required about the recording and monitoring of this impact.
- 8.257 Section 11.8.1 (APP-208) states that mitigation would be undertaken during pre-construction works or prior to the aspects of construction that would affect the heritage asset. This could include preservation in situ of archaeological remains, non-intrusive archaeological fieldwork and intrusive archaeological fieldwork.
- 8.258 The development would potentially result in a direct permanent and harmful change to a range of non-designated heritage assets. This would be a significant effect. The Applicants have provided information to inform the examination via the Historic Environment chapters of the ES. Further information and documents are however required to establish an appropriate programme of evaluation and mitigation for archaeology and geoarchaeology. This information is necessary to fully inform the decision-making process, and the planning balance as set out in the relevant policies.

## **Management Plans**

- 8.259 An Outline Archaeological Mitigation Strategy and Outline Written Scheme of Investigation (AMS/WSI) has been completed.
- 8.260 The proposed approaches and commitments to archaeological investigations to be undertaken post-consent are set out in document 7.5 Outline Archaeological Mitigation Strategy and Outline Written Scheme of Investigation (Final Issue A) (APP-328). This document would form the basis of detailed Written Scheme of Investigations (WSIs) for archaeology and geoarchaeology. The document would be directly referenced in the DCO under Requirement 5 and therefore it is paramount that it is approved early in the examination process to ensure the completion of evaluation of the archaeological and geoarchaeological resource following consent and that appropriate measures are in place to successfully mitigate any archaeological or geoarchaeological remains that will be impacted upon by the scheme.
- 8.261 The Outline AMS/WSI requires amendments for it to be considered an adequate management plan for the archaeology and geoarchaeology. Further detail is required in the Outline WSI as it forms the foundation of later strategies, so it is clear how this work will proceed, and what is expected of the contracting unit(s) responsible for investigation. It has been agreed, with the archaeological representatives for National Grid, that detailed comments be provided separately in combination with other County Officers in order to come to agreement on the content of the Outline AMS/WSI.
- 8.262 The document considers that "Appropriate and proportionate geophysical (magnetometer) survey and archaeological trial trenching has been undertaken to date (Section 1.3.4). The levels of evaluation proposed prior to submission were agreed between National Grid and relevant parties during the pre-application stage. The evaluation, including geophysics and trial

trenching, was not completed prior to submission. Full reporting of these investigations has not been completed. This would not be considered sufficient information to submit with an application.

8.263 The report proposes that post-consent archaeological evaluation would be limited in extent and to certain locations. These comments need to be re-considered in light of the current stage of the evaluation fieldwork. It would be expected that all areas where impact to the archaeological or geoarchaeological resource is expected would be evaluated through intrusive archaeological methods (archaeological trenching).

8.264 The document requires clarity on the scope and extent of further evaluation required prior to any agreed mitigation. Evaluation would be required in all areas of potential impact where topsoil would be removed, including (but not limited to) undergrounding, pylon bases, haul roads, ecological mitigation measures and drainage measures. The evaluation would include further geophysical survey, archaeological trial trenching and geoarchaeological investigation. The Outline WSI could be supported with the addition of a figure illustrating the areas that remain to be evaluated. This would allow all parties to be clear about the scope and level of evaluation that may be required should consent be given.

8.265 The Outline AMS and WSI do not fully incorporate all potential methodologies and strategies for the post consent mitigation of the archaeological and geoarchaeological resource. The main mitigation methods proposed are agreed in principle including preservation *in situ*, excavation and strip, map and sample excavation. It is agreed that avoidance of significant archaeological remains would be the preferred approach to mitigation.

8.266 It would not be acceptable to rely on archaeological monitoring and recording (Section 5.3.131- 5.3.138) as a mitigation method during construction unless undertaken on areas that have been previously evaluated and the extent/significance of potential archaeology has been adequately understood.

8.267 With regard to preservation of sites through burial, Section 5.3.6 to 5.3.11 may need updating following current research into the most suitable methods and materials. The most up to date methods and practices for burial or sealing of remains would need to be agreed in discussion with the Historic England Regional Scientific Advisor.

8.268 The sections covering geoarchaeological evaluation and mitigation lack detail in their methodologies and outputs and need further detail as well as consideration of other geoarchaeological assessment techniques that may be more appropriate.

8.269 Geoarchaeological deposit modelling is listed as an assessment technique however a methodology for this is not provided. Section 5.3.22 refers to archaeological site investigations where geoarchaeology may be recorded and inspected. There is also reference to historic borehole records being consulted. This does not provide a robust strategy for the collection of geoarchaeological data to inform a deposit model. More details on sources and methodologies for the updating or creation of a deposit model should be included.

8.270 Should there be potential for further monitoring of ground Investigation (GI) works across the scheme this should also be included as an assessment method and details of the proposed methodology provided. Any further GI works would need to be monitored under geoarchaeological control to enable recording and incorporation into the deposit model. Commitment to this needs to be included in the Outline WSI as a mitigation method.

- 8.271 The evaluation methodology proposed for Geoarchaeological and Paleoenvironmental investigation (5.3.115) are boreholes or cores across the evaluation area. Any purposive borehole strategy should be guided by the updated deposit model.
- 8.272 Dependant on the depth, nature and extent of the geoarchaeological deposits to be investigated (which should be derived from a deposit model) there may be other more suitable geoarchaeological techniques which could better address the aims and objectives of the mitigation.
- 8.273 Geoarchaeological test pits and trenches should be included as potential geoarchaeological methodologies for mitigation in areas where the lateral extent and sampling methodologies would benefit from open excavations rather than borehole cores.
- 8.274 Section 6.1.1 refers to the processing of finds however no further details are provided. A section on finds processing and processes for the treatment and conservation of metal finds should be included within the Outline WSI. Finds would need to be examined by a suitable qualified specialist so that the results can be included in the evaluation reports. This information would be required for the identification of mitigation areas.
- 8.275 The Projects for reporting and provision of updated information need further consideration. The full reporting of the previous, current and forthcoming evaluations is considered a priority as this would be the basis for the selection of sites for mitigation. The reporting of trial trench evaluations should be included as a separate section within the outline WSI as the information required to make a balanced decision on mitigation would differ from a site that has been chosen for mitigation.
- 8.276 Agreement on the content of the Post-excavation Assessment Report (6.3) needs to be discussed in conjunction with both Norfolk and Suffolk archaeological advisors to ensure the requirements do not clash across county boundaries. It would be preferable to only include Essex sites within each post ex report and not a combination across the counties unless the sites cover a landscape that crosses county boundaries such as the Stour Valley.
- 8.277 It is considered there would be scope to demonstrate a commitment to delivering enhanced public understanding/benefit and legacy as part of the mitigation (section 6.8) considering the significant size of the scheme and the interest in the heritage of the area. There is more opportunity for publication and outreach which should be expanded on in the Outline WSI.
- 8.278 With regard to the Outline Code of Construction Practice (CoCP) Standard and additional mitigation measures for archaeology set out in the Outline CoCP (APP-300). Mitigation requirements are included within Section 6 (6.1.13) of the outline CoCP with reference to the Outline AMS and WSI (APP-328) and mitigation measures listed in Table 6.1. Register of Environmental Commitments.
- 8.279 Historic Environment (archaeology) is covered under H01 to H05 and are agreed as appropriate.
- 8.280 H04 should add "The Principal Contractor(s) will be responsible for making sure staff are aware of what to do in the event of an unexpected heritage asset. This should include toolbox talks within site inductions."

8.281 Mitigation for Protected Lanes is included under H06. In order to protect the historic features of the protected lane a permanent record should be completed prior to any changes which would allow more accurate re-instatement. The requirement for this should be included under H06 and the mode and mechanism for this process included in the final Landscape and Ecological Management Plan (LEMP). It is noted that the measures proposed by the National Grid Bramford to Twinstead Project (H05) included a more robust mechanism for their protection. It is recommended that this measure is adopted. See below:

8.282 “A topographic survey will be undertaken in advance of construction of each Protected Lane (Essex) and Historic Lane (Suffolk) within the Order Limits where likely to be affected by physical works. The survey will include mapping of any historic earthwork features associated with the lane, including banks and ditches. During construction, the contractor will seek to limit the working area to the narrowest section of lane that is practicable for the works. Any historic features associated with the lane will be reinstated at the end of construction to the pre-work condition, including the replanting of hedgerows and reinstatement of historic earthworks.”

## **Landscape and Visual Impacts**

### **Relevant Policies**

#### **Local policy: Adopted and Submission Chelmsford Local Plan**

8.283 Policy S4 - Conserving and Enhancing the Natural Environment of the Adopted Chelmsford Local Plan applies. This seeks to protect the countryside from harmful development and set out the circumstances where development may be granted.

8.284 Policies S11 – The Role of the Countryside, DM6 – New Buildings in the Green Belt, DM7 – New Buildings and Structures in the Green Wedge, DM8 – New buildings and Structures in the Rural Area and DM10 – Change of Use (Land and Buildings) and Engineering Operations of the Adopted Local Plan apply. These seek to protect the Green Belt from inappropriate development, and the character and beauty of the countryside. They set out the circumstances where development may be acceptable.

8.285 Policies S11 and DM6 of the Adopted Local Plan do not contain reference to the Grey Belt. The PDL test has also changed. Policy DM10 contains no reference to the Grey Belt. In such cases, reference is made to the appropriate paragraphs of the NPPF.

8.286 Policies DM16 – Ecology and Biodiversity and DM17 - Trees, Woodland and Landscape features seek to protect ecological and biodiversity features, including trees, woodland and the landscape, from adverse impacts and effects and set out the circumstances where development may be granted.

8.287 On policy S4 - Conserving and Enhancing the Natural Environment, it is noted that Biodiversity Net Gain is now statutory. On Policy DM16 – Ecology and Woodland, BNG is now statutory.

8.288 Policy DM23- High Quality and Inclusive design seeks to ensure that development Projects are well designed.

8.289 Submission policies S11 – The role of the Countryside, DM6 – New development in the Green Belt, DM7 – New buildings and structures in the Green Wedge, DM8 – New buildings and structures in the Rural Area and DM10 – Change of use (land and buildings) and engineering operations also apply. The policies have been amended to reflect the guidance contained within the NPPF.

8.290 The policies have been retained and amended in accordance with the NPPF and form part of the Submission Local Plan.

## **National Policy**

8.291 The following apply with commentary in respect of the NPS's given as appropriate below.

- Overarching National Policy Statement for Energy (EN-1)
- National Policy Statement for renewable energy infrastructure (EN-3)
- National Policy Statement for electricity networks infrastructure (EN-5)
- National Planning Policy Framework
- National Planning Policy Guidance

8.292 The NPPF (2024) in Paragraph 187 sets out that planning policies and decisions should contribute to and enhance the natural and local environment by inter alia: “(a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan) and (b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;”

8.293 Paragraph 188 of the NPPF encourages a strategic approach to maintaining and enhancing networks of habitats and green infrastructure, and the enhancement of natural capital at a catchment scale.

## **Consideration and Adequacy of the DCO:**

### **Context**

8.294 CCC's main concern is that the Project does not have an unacceptable visual impact and would not harmfully affect the character and appearance of the area. Where there is identified harm, appropriate mitigation should be provided.

8.295 The Project would introduce predominantly 50 metre high lattice pylons and associated infrastructure into an undeveloped, rural landscape where intervisibility can be quite high due to the large-scale flat or gently undulating landscapes or where the scale of the pylons and overhead wires means the effect is an industrialisation of the countryside.

8.296 The Project would introduce lattice pylons ranging from 40 - 50 (approx.) metres in height, overhead lines and associated infrastructure in the countryside. The UKPN powerlines and masts would be in region of 30 metres (approx.), with the NGET pylons ranging between 40 metres and 50 metres in height. Accounting for the Limits of Deviation, the height of the pylons could increase to approximately 56 metres in places.

- 8.297 In respect of the approach to the Landscape and Visual Impact Assessment (LVIA), CCC has concerns regarding several aspects of the methodology, particularly in the approach to landscape value and value of the view, as well as a downplaying of the significance of impacts.
- 8.298 The route planned through Chelmsford traverses' rural landscapes. The Holford Rules, which advise the hierarchy for the placement of routes, state 'where possible choose routes which minimise effects on Special Landscape Areas, areas of Great Landscape Value and other similar designations of County, District or Local value'. CCC policy adheres to national policy on local landscape protection and base their policy on local landscape character assessments not designated are effectively penalised via this advice. The Holford Rules appear to have been last updated in the 1990s and would seem to be at odds with current general national landscape policy and guidance.
- 8.299 The treatment of undesignated landscape as blank space is compounded by adherence to Rule 5 of the Holford Rules which states that in routeing of high voltage overhead transmission lines, these should '... be kept as far as possible from smaller lines, converging routes and other poles, masts, wires, and vales to avoid a concentration or 'wirescape'. This has the effect of distributing adverse impacts over a wider area of unspoilt countryside rather than containing them in a narrower corridor.

#### **National Planning policy consideration**

- 8.300 Overarching National Policy Statement for Energy (EN-1) Paragraph 5.10.6 states that proposals need to be designed carefully, taking account of the potential impact on the landscape. Having regard to siting, operational and other relevant constraints the aim should be to minimise harm to the landscape, providing reasonable mitigation where possible and appropriate.' It is considered that the approach to the Project in relation to the use of pylons and the overhead line does not minimise harm to the landscape nor provides reasonable mitigation/compensation for the use of overhead infrastructure.
- 8.301 Paragraph 5.10.12 of NPS EN-1 states that outside nationally designated areas, there are local landscapes that may be highly valued locally. It is noted that County, district and local level landscape designation were not government policy in the late 1990s and 2000s. Valued Landscape Assessments have not been carried out at a district or local level to replace local landscape designation. There are concerns this has led to harm to landscape not being minimised.
- 8.302 Paragraph 5.10.35 of NPS EN-1 states that the scale of energy Projects means that they will often be visible across a very wide area. The Secretary of State should judge whether any adverse impact on the landscape would be so damaging that it is not offset by the benefits (including need) of the Project. It is considered that the significant adverse landscape and visual effects at a wide scale need to be offset through landscape enhancement or compensation at a strategic scale.
- 8.303 Paragraph 4.3.4 of NPS EN- 1 states that to consider the potential effects, including benefits, of a Project for a Project, the Applicant must set out information on the likely significant environmental, social and economic effects of the development, and show how any likely significant negative effects would be avoided, reduced, mitigated or compensated for, following the mitigation hierarchy. It is considered that the application does not show how the residual significant adverse landscape and visual effects of the pylons and OH line will be compensated for along its length.

- 8.304 Paragraph 4.6.1 of NPS - EN-1 states that environmental net gain is an approach to development that aims to leave the natural environment in a measurably better state than beforehand. Projects should therefore not only avoid, mitigate and compensate harms, following the mitigation hierarchy, but also consider whether there are opportunities for enhancements. It is considered that this information has not been provided in relation to compensation for the residual adverse landscape and visual effects of the pylons and overhead line along its length.
- 8.305 Paragraph 4.2.12 of NPS - EN- 1 states that Applicants should set out how residual impacts will be compensated for as far as possible. .... The cumulative impacts of multiple developments with residual impacts should also be considered. It is considered that the residual landscape and visual impacts compensation for the overhead line or cumulative effects has not been addressed in any meaningful way within the submission.

### **Landscape Value**

- 8.306 The inclusion of landscape value criteria as part of the landscape value assessment methodology, as identified in Table A13.1.4 Factors contributing to landscape value, based on The Landscape Institute's Technical Guidance Note (TGN) 02/21 Assessing landscape value outside national designations (Landscape Institute, 2021) is welcomed. Yet there is concern that this value assessment has been carried out just at a character area level rather than looking at the details of the landscape value within the Order Limits and their setting. This could result in the downplaying of specific qualities and value related to the development corridor itself.
- 8.307 With regard to the landscape value assessments, there are concerns that the detailed assessments identified in Annex A to Appendix 13.2: Landscape Baseline and Assessment appear to undervalue factors, particularly in relation to 'Distinctiveness', 'Perceptual' and 'Functional' criteria.
- 8.308 Paragraph 13.2.9 of Document 6.13.A2 Environmental Statement Appendix 13.2 Landscape Baseline and Assessment states, there are no locally designated landscapes within the 3 km Study Area', without reference to the fact that the districts through which the Project line passes no longer designate landscapes locally, in keeping with National policy from the late 1990s and 2000s. It is concerning that judgements may be being made regarding landscape value and sensitivity based on an assumption that because there are no designations, the landscape lacks value. A caveat to the statement in the documentation needs to be made.
- 8.309 The lack of local landscape designation does not imply lack of landscape qualities or value. The current Holford Rules advise where possible choose routes which minimise the effect on Special Landscape Areas, areas of Great Landscape Value and other similar designations of County, District or Local value.'
- 8.310 It is considered that administrative areas which adhere to national policy from the late 1990s and 2000s and base their policy on local landscape assessments not designation are effectively penalised via this advice. The Holford Rules were last updated in the 1990s. CCC does not use Valued Landscape Assessment to inform its local plans, except as part of landscape sensitivity assessment of specific sites.
- 8.311 Whilst nationally protected landscapes such as AONBs and their settings, have the benefit in landscape and visual terms of proposed cabling being substantially undergrounded, the

remaining rural landscapes along the route are not identified as a constraint when it comes to alignment, even though some of these are of strong and distinctive local character that could be identified as being 'Valued Landscapes'.

8.312 The landscape value assessment was not made available until the submission of the ES and so has not, to our knowledge, informed the alignment in any meaningful way. It is considered the proposed alignment needs to be looked at again in light of this data.

8.313 Many of these landscapes have value at a local level but successive Local Plans have discarded local protections to fit with national policy. The treatment of undesignated landscape as blank space is compounded by adherence to Rule 5 of the Holford Rules which states that routes of overhead transmission lines, should '... be kept as far as possible from smaller lines, converging routes and other poles, masts, wires, and vales to avoid a concentration or 'wirescape' has the effect of distributing adverse impacts over a wider area of unspoilt countryside rather than containing them in a narrower corridor. It is considered that the Holford Rules need updating in light of these concerns.

## **Landscape Character**

### **Regional character**

8.314 The Project would run through two National Character Areas NCA 86 South Suffolk and North Essex Clayland and NCA111 Northern Thames Basin. It does not appear as though the effects of the Project on national or regional landscape character have been assessed.

8.315 This approach is questioned. It is considered the Project is of a regional scale if not national scale and is identified as having significant negative operational landscape and visual effects along the whole length of the approximately 184Km of new infrastructure.

8.316 During the construction stage, the Landscape and Visual Impact Assessment suggests that at Construction, significant effects occur generally within 1. Km of the Project. This judgment is generally accepted, but towards the end of the construction period it is considered that the adverse effects, especially visual, could extend beyond this distance, especially in open landscapes as multiple pylons and overhead line runs become visible.

8.317 At the operational stage it is identified that significant landscape effects are predicted within 1.5Kms of the Project line. Yet, many of the judgements suggest these impacts are moderate significant rather than major significant beyond 0.5Km's, which is questioned, particularly given that multiple pylons 50m high would be visible in sequence coupled with the overhead line and often in landscapes where intervisibility is high.

8.318 The submitted visualisations demonstrate that the landscapes that would be affected by the Project are substantially undeveloped and rural where intervisibility is often high due to large scale flat or gently undulating landscapes or shallow river valleys, where the scale of the pylons and overhead wires means the effect is to industrialise the countryside in places up to 2Km away. These are often landscapes without existing significant detractors.

8.319 It is considered that at the operational stage impacts are likely to be major significant rather than moderate significant beyond 0.5Kms.

### **Local character**

8.320 The Essex Landscape Character Assessment (2003) – Braintree District, Chelmsford District, Brentwood District identifies four Landscape Character Typographies CTs along the Project in Chelmsford. These are often landscapes without existing significant detractors:

8.321 Locally, the following areas would be affected:

- B1 Central Essex farmlands
- C5 Chelmer Valley
- D2 Brentwood Hills
- G2 Chelmsford and Environs

8.322 The ES The Project would lead to a harmful change in the identified character and appearance of the landscape, which would lead to a change in the character and quality of the landscape. It would lead to harmful visual intrusion, through the siting of high large-scale industrialised features that cannot be fully mitigated against. The Project would lead to the harmful loss of the character and beauty of the countryside.

8.323 The ES acknowledges that the Projects would have a significant negative landscape impact at both construction and operational stages over the length of the Project. Where negative effects are judged not to be significant further away from the Project line, the visual character of the landscape and its perceptual nature is likely to combine to significantly negatively affect the landscape over a wide area, reducing scenic beauty and tranquillity, aesthetic enjoyment, a sense of place, history and identity, and inspiration for learning throughout the landscape and visual study area.

8.324 The Landscape and Visual Impact Assessment suggests that at construction, significant effects would occur generally within 1km - 1.5Km of the Project. Towards the end of the construction period, it is considered that adverse effects, especially visual, could extend beyond this distance, especially in open landscapes as multiple pylons and overhead line runs become visible.

8.325 Whilst accepting that at construction stage this is likely to be the situation in many instances, it is not accepted that this would be the case at the operational stage where the outcome is generally an overhead line with 50m pylons as opposed to undergrounding, and where intervisibility is frequently quite high.

8.326 At the operational stage it is identified that significant landscape effects are predicted within 1.5Kms of the Project line. Many of the judgements suggest these impacts are moderate significant rather than major significant beyond 0.5Kms, which is questioned. This is particularly true where multiple pylons 50m high are visible in sequence coupled with the overhead line and in landscapes where intervisibility is high. CCC's position is that at the operational stage impacts are likely to still be major significant rather than moderate significant beyond 0.5Kms.

8.327 Even where the effects are deemed not significant, the character of the landscape is changed over a much wider area, with proposed overhead lines reducing the provision of what GLVIA3 (Page 18. Para 2.11) describes as:

- Opportunities for aesthetic enjoyment
- A sense of place and a sense of history which contributes to individual, local, national and European identity.

- Inspiration for learning, as well as for art and other forms of creativity

8.328 There is concern that the landscape value criteria evaluation is flawed. The baseline evaluation and judgements appear to be made solely at a district and not a site/setting level, they do not necessarily address the value of the key characteristics of the landscapes in the study area that are directly affected.

8.329 The visualisations demonstrate that within Chelmsford, the landscapes affected by the Project are often undeveloped, rural landscapes where intervisibility can be quite high due to large scale flat or gently undulating landscapes or where the scale of the pylons and overhead wires means the effect is a perceived industrialisation of the countryside up to 2Km away that can be significant in places. These are often landscapes without existing significant detractors.

8.330 With regard to the specific Landscape Character types, it is considered that:

*LCA B1: Central Essex Farmlands:*

8.331 The assessment now identifies that the operational effect would be significant negative up to 1.5Km which is welcomed. It is considered that the the presence of the 50m high pylons and overhead lines could impact on the sense of rurality and tranquillity over a wide area. The area of Terling and Fairstead are noted as containing more frequent hedgerow trees compared to the rest of the LCA and are considered therefore more sensitive to change.

8.332 Generally, we welcome the findings of the individual judgements made for within 0.5km, between 0.5-1.5 km and beyond 1.5 km which confirm no reduction in effects from construction. Generally, the judgements in Table A13.2.50 (construction and operational are agreed with regard to this LCA.

*LCA C5: Chelmer Valley:*

8.333 It is agreed that the Project would result in Direct effects arising during construction which would include the removal of some landscape features including the disturbance to farmland (mainly arable fields) and riparian habitat associated with the River Chelmer, and the loss of some field boundary hedgerows, field trees, and hedgerow trees. These all form key characteristics of the LCA. Features such as hedgerows, riparian vegetation and hedgerow trees are present throughout the landscape and are well connected linear features. Fragmentation of these features potentially have significant impact in the wider LCA.

8.334 Generally, the individual judgements made for within 0.5km, between 0.5-1.5 km and beyond 1.5 km which confirm no reduction in effects from construction are agreed with. The judgements in Table A13.2.52 (construction and operational) are agreed with. Yet we query the magnitude at 0.5-1.5km (construction) which has been judged to be medium in the table but high in para 13.3.707.

*LCA D2: Brentwood Hills:*

8.335 The semi-enclosed nature of this LCA and key characteristics such as undulating hills/ridge, semi enclosed character due to presence of numerous woodlands, frequent hedgerow trees and patchwork of small irregular pasture/arable fields are noted. The recognition that significant effects can occur up to 1.5Km is welcomed. Generally, the individual

judgements made for within 0.5km, between 0.5-1.5 km and beyond 1.5 km are agreed with, which confirm no reduction in effects from construction.

#### *LCA G2: Chelmsford and Environs:*

8.336 The Project intercepts this LCA only between TB165 and TB168. Generally, the individual judgements made for within 0.5km, between 0.5-1.5 km and beyond 1.5 km are agreed with. These confirm no reduction in effects from construction. Generally, the judgements in Table A13.2.53 (construction and operational) are agreed with.

#### **Visual effects**

8.337 The ES acknowledges that the Project would have a significant negative visual impact over the length of the Project. This is identified as up to 1.5Km from the Project line in most situations. As a result of open landscapes, multiple pylons in view and cumulative effects when passing from one visual receptor area to another along the line, it is considered the cumulative effect is likely to result in an overall significant adverse effect generally within the study area at both construction and operation.

8.338 The Project would affect views within the following areas:

- F1 Great Leighs:
- F2 Peverel's Farm
- F5 Chignall Smealy
- F4 Great Waltham
- F5 Little Waltham
- F6 Chelmsford North-West
- F7 Roxwell
- F8 Writtle and Chelmsford West
- F9 Edney Common
- F10 Hylands Park
- F11 Margaretting and Stock

#### **General**

8.339 The Landscape and Visual Impact Assessment has been supported by Photographic Baseline images and Wireline visualisations. Figures 13.7 Landscape and Visual Receptors and Viewpoints identifies viewpoint locations that are considered for the Environmental Statement (ES). Additional Historic Environment Viewpoints are also identified.

8.340 Generally, the viewpoint assessments are welcomed, but there are still considerable gaps in the provision including VRA F9 Edney Common (Longer distance) and VRA F6 Chelmsford North-West (Longer distance) The shortfall is particularly noticeable from beyond 1.5 Kms and is in danger of undervaluing the significance of the effects on the PRoW network in particular.

#### **Theoretical visibility of the Project**

8.341 With regard to the Visual Receptor Areas, Figure 13.9 - Landscape and Visual - ZTV of Proposed 400kV Overhead Line (proportions of structures visible), the Zone of Theoretical Visibility (ZTV) mapping indicates relatively widespread theoretical visibility of the overhead line

within the 3 km study area and beyond 5 km including from villages, the PRow network, National Cycle Network routes in this area, from the rural lanes and road network.

- 8.342 The visualisations in the Landscape and Visual Assessment demonstrate the landscapes affected by the Project are often undeveloped, rural landscapes where intervisibility can be quite high due to large scale flat or gently undulating landscapes or where the scale of the pylons and overhead wires means the effect is a perceived industrialisation of the countryside up to 2Km away that can be significant in places.
- 8.343 The ZTV highlights how widespread the potential significant negative landscape and visual effects of the scheme are and also suggests that some visual assessment needs to extend beyond the 3Km study area.
- 8.344 It is considered that the visual assessment should more explicitly extend into sensitive areas beyond the 3Km line in order to demonstrate the effects are not significant.

### **Visual Receptors and Groupings**

- 8.345 The LVIA groups the visual receptors into Visual Receptor Areas. These Visual Receptor Areas have been identified based on geographical location, shared landscape characteristics and a similarity in the nature of views. Whilst it is understood that for a Project of this large scale, the Visual Receptor Areas are a pragmatic way of organising the data, there is concern that clarity and detail around individual receptors has been lost as a result.
- 8.346 It is not agreed that the value of the view should be judged substantially on identified viewpoints and promoted views in tourist-focussed documents. In lieu of local landscape designation and district-wide Valued Landscape Assessments, the value of the view should be judged by how it relates to the Landscape Character Assessment. The value of view indicators as presented in the assessment downplay the subtle character of East Anglian landscapes and appear concentrated on topography, woodland and water. This approach pre-determines visual value based on certain characters and not others. It is considered the sensitivity of receptors and significance of the effects has been downplayed as a result.

### **Visual effects**

- 8.347 The assessment acknowledges that at Year 1 of operation, there would '...be significant adverse visual effects on visual receptors within most of the VRAs which are directly affected by the Project'. This is related to the introduction of the proposed overhead line, CSE compounds, substations or substation extensions into close to medium distance views.
- 8.348 It is acknowledged that by Year 15, effects on some visual receptors in proximity to CSE compounds, substations and substation extensions would reduce as a result of landscape mitigation within Environmental Areas.
- 8.349 This explicitly recognises that the significant adverse visual effects caused by pylons and overhead lines are not mitigatable and do not reduce.

### **Visual Receptor Areas**

8.350 With regard to the individual visual receptor areas (including the Theoretical Visibility of the Project), it is considered that:

*Theoretical visibility of Project:*

8.351 The preliminary LVIA identifies Section F covering the Project line broadly between Great Leighs in the northeast and Stock to the south. The Zone of Theoretical Visibility (ZTV) mapping indicates relatively widespread theoretical visibility of the overhead line within the 3 km study area including from villages, the PRoW network, National Cycle Network routes in this area, from the rural lanes and road network.

8.352 The study identifies theoretical visibility of one or more pylons from the majority of the study area and multiple pylons from the more elevated parts of the study area.

8.353 The study highlights how widespread the potential negative landscape and visual effect of the scheme are with Chelmsford falling substantially within Visual Receptor Area F.

8.354 It is not agreed that the value of the view should be judged substantially on identified viewpoints and promoted views in tourist-focussed documents and that in lieu of local landscape designation and district-wide Valued Landscape Assessments. The value of the view should be judged by how it relates to the LCA. It is considered the sensitivity of receptors and significance of the effects has been downplayed as a result.

*F1 Great Leighs:*

8.355 The Visual Receptor Area is located towards the south of the Project, southwest of Braintree. It lies broadly between the southern edge of Great Notley and Chatham Green. The representative viewpoints are:

- Viewpoint 6.01 Castle Close, Great Leighs
- Viewpoint 6.03 Essex Way, Chatham Green
- Viewpoint 6.25 PRoW, east of Littley Green (Great Waltham 54)

8.356 It is agreed that the Project would be visible in close views from the south-east of the VRA, including Pork Hall Lane and Boreham Road (Protected Lanes) (which would both be crossed by the Project), NCN Route 50 and PRoW.

8.357 The Project would be seen above wooded skylines and in relatively open views. Views from the local road network would be partially filtered by intervening vegetation but would be seen through gaps in the vegetation, and as large scale features above wooded skylines. The Project would be introduced into views largely absent of overhead lines.

8.358 It is considered the scale of change would be large and the effect major and significant (adverse) within 1.0km not 0.5Km.

8.359 Viewpoint 6.01: Castle Close, Great Leighs 0.91Km and Viewpoint 6.03: Essex Way, Chatham Green 0.80Km demonstrate how even at this distance, the overhead line is prominent in a rural view.

8.360 It is considered the scale of change would be medium and the effect would be moderate and significant (adverse) between 1.0km and 1.5km not 0.5-1.5Km.

8.361 It is agreed that generally, effects beyond 1.5km are unlikely due to woodland blocks and undulations as evidenced in Viewpoint 6.25: PRoW, East of Littley Green (Great Waltham 54).

8.362 It is considered that the cumulative effect of multiple pylons and the continuous overhead linear character of the Project, mean that the collective effects create an overall significant adverse effect within the VRA at both construction and operation.

*F2 Peverel's Farm:*

8.363 This Visual Receptor Area is located towards the south of the Project, broadly between Fuller Street and the northern edge of Chelmsford. The sole representative viewpoint is identified as:

- Viewpoint 6.02 Essex Way near Fuller Street
- Viewpoint 6.17 Sheepcotes Lane, Little Waltham

8.364 It is agreed the Project would be visible in close views from the north-west of the VRA, with close views from the local road network, scattered properties along the lanes, PRoW including the Essex Way (Viewpoint 6.02 Essex Way, west of Fuller Street 0.64Km) which presents gently undulating countryside views in all directions.

8.365 It is disagreed that the pylons are only 'noticeable features' as in VP 6.02. It is considered the pylons would be prominent. Despite the removal of some existing pylons, cumulative impact would likely degrade the landscape further by closing up the openness to the north. The proposed pylons would appear larger than the existing pylons.

8.366 It is considered the scale of change would be large and the effect would be major and significant (adverse) within 1.0km not 0.5km.

8.367 Viewpoint 6.17: Sheepcotes Lane, Little Waltham 1.25km demonstrates that there are still moderate and significant (adverse) effects at this distance.

8.368 It is considered that the scale of change would be medium and the effect would be moderate and significant (adverse) only beyond 1.0km and up to 1.5km.

8.369 Generally, beyond that it is accepted that individual impacts would be not significant. Yet the cumulative effect of multiple pylons and the continuous overhead linear character of the Project mean that the collective effects create an overall significant adverse effect within the VRA at both construction and operation.

*F3 Great Waltham:*

8.370 Comments relating to Great Waltham should be read in conjunction with the Great Waltham and Little Waltham section above.

8.371 This Visual Receptor Area is located to the south of the Project, north of Chelmsford. It lies broadly north of Broad's Green, and to the south of Littley Green. The sole representative viewpoint is identified as:

- Viewpoint 6.18 Langleys Park, Great Waltham 1.01
- Viewpoint 6.16 Chatham Hall Lane, north of Little Waltham 0.28

8.372 It is identified that low height pylons are proposed at this location to mitigate effects on the views from heritage assets. It is assumed this is represented by Viewpoint 6.18 Langleys Park, Great Waltham.

8.373 It is acknowledged that the lower height reduces the likely visibility of the proposed overhead line.

8.374 In landscape and visual impact terms, there are concerns regarding the wider impact of the pylons and overhead line on the historical landscape setting associated with Langleys, not just the impact on views from the mansion. Whilst it is agreed views of the Project would likely be filtered, the introduction of pylons would likely degrade the setting forming a backdrop of pylons behind the building within the wider landscape.

8.375 It is agreed that there would be close and sometimes open views of the Project from local receptors, from properties along several roads/lanes, and from scattered properties as shown in Viewpoint 6.16 Chatham Hall Lane, north of Little Waltham where pylons are very prominent and seen in full against the sky. Pylons would also appear stacked behind each other in some views.

8.376 The Project would be introduced into views otherwise absent of overhead lines. It is agreed the scale of change would be large, and the effect would be major and significant (adverse), reducing to moderate and significant (adverse) from Great Waltham. It is considered generally major and significant adverse effects extend up to 1km from the Project line not 0.5km.

8.377 It is considered that generally a medium scale of change and moderate and significant (adverse) effects would occur between 1.0km and extend up to 1.5km.

8.378 Generally, beyond 1.5km it is accepted that individual impacts would not be significant, the cumulative effect of multiple pylons and the continuous overhead linear nature of the Project, mean that the collective impacts create an overall significant adverse effect within the VRA at both construction and operation.

8.379 It is identified that no additional mitigation is proposed within the VRA but there is concern about how opportunities could be taken, for instance, to enhance the historic landscape to strengthen its resilience going forward.

#### *F4 Little Waltham:*

8.380 Comments relating to Little Waltham should be read in conjunction with the Great Waltham and Little Waltham comments above.

8.381 This Visual Receptor Area is located to the south of the Project, north of Chelmsford. It lies broadly between Broomfield and Broomfield Hospital in the south, and north of Little Waltham. There is one representative viewpoint within this Visual Receptor Area.

- Viewpoint 6.13 B1008, Little Waltham

8.382 It is identified that low height pylons are proposed at this location to mitigate effects on the views from heritage assets. It is assumed this is represented by Viewpoint 6.18 Langleys Park, Great Waltham.

- 8.383 It is acknowledged that the lower height would reduce the likely visibility of the proposed overhead line.
- 8.384 A viewpoint should be presented to show the T-Pylon in place.
- 8.385 There are concerns that no viewpoints have been offered outside the 0.5Km range and suggest one or more of these are needed to demonstrate that effects are reduced due to intervening settlement or vegetation.
- 8.386 Generally, it is agreed there would be close and sometimes open views of the Project from receptors such as Chatham Hall Lane, from the local PRoW network and scattered properties, and that Pylons would be seen in full in places from less vegetated sections such as Chatham Hall Road, with much of the pylon's structure prominently visible against the sky.
- 8.387 There is deep concern regarding the amount of vegetation proposed for removal as demonstrated in Viewpoint 6.13: B1008, Little Waltham.
- 8.388 Pylons would appear stacked behind each other in some views from locations close to the alignment, such as near Lark's Lane and Chelmsford Road. The Project would be introduced into views otherwise absent of overhead lines.
- 8.389 It is agreed that the scale of change would be large, and the effect would be major and significant (adverse), reducing to moderate and significant (adverse) within Little Waltham.
- 8.390 It is considered that major significant adverse effects occur up to 1km not 0.5km.
- 8.391 It is further considered that generally a medium scale of change and moderate and significant (adverse) effects do not occur until 1.0km and extend up to 1.5km.
- 8.392 Generally, beyond 1.5km it is accepted that individual impacts would be not significant. Yet the cumulative effect of multiple pylons and the continuous overhead linear nature of the Project, mean that the collective impacts would create an overall significant adverse effect within the VRA at both construction and operation.

*F5 Chignall Smealy:*

- 8.393 This Visual Receptor Area is located to the south of the Project, north-west of Chelmsford. It lies broadly between the northern edge of Boyton Cross and east of Pleshey. Representative viewpoints are identified as:
- Viewpoint 6.04 PRoW, Broad's Green (Great Waltham 85)
  - Viewpoint 6.12 Pleshey Castle
  - Viewpoint 6.20 PRoW, Chignall St James (Chignall 30)
  - Viewpoint 6.24 Chignall Smealy
- 8.394 Generally, it is agreed that the Project would be visible in close views from the south-east of the VRA, with the overhead line likely prominent in views and seen against the sky from parts of Chignall St James (see Viewpoint 6.20 PRoW, Chignall St James (Chignall 30) and Broad's Green (see Viewpoint 6.04 PRoW, Broad's Green (Great Waltham 85). There are continued views travelling south along the PRoW.

8.395 There would be some filtering of views by existing vegetation, but not to the height to screen a large structure completely at odds with the rural scene. The Project would be introduced into views otherwise absent of overhead lines.

8.396 It is agreed that the scale of change would be large, and the effect would be major and significant (adverse) in close-to views. Major significant adverse effects would occur up to 1km not 0.5km. It is considered that generally a medium scale of change and moderate and significant (adverse) effects do occur between 1.0km and extend up to 1.5km.

8.397 Generally, beyond 1.5Km it is accepted that individual impacts would be not significant, yet the cumulative effect of multiple pylons and the continuous overhead linear nature of the Project, mean that the collective impacts create an overall significant adverse effect within the VRA at both construction and operation.

#### *F6 Chelmsford North-West:*

8.398 This Visual Receptor Area is located to the south of the Project, broadly between Broomfield and the centre of Chelmsford. Representative viewpoints are identified as:

- Viewpoint 6.14 P<sub>RoW</sub> west of Broomfield (Broomfield 12)
- Viewpoint 6.05 Centenary Circle, north-west of Chelmsford

8.399 It is agreed the Project would be visible in close views from the north-west of the VRA, and that the overhead line would be prominent in relatively open views, and seen against the sky. The Project would be introduced into views otherwise absent of overhead lines.

8.400 It is agreed that the scale of change would be large, and the effect would be major and significant (adverse) in close-to views.

8.401 It is considered major significant adverse effects occur up to 1Km not 0.5 Km. Generally a medium scale of change and moderate and significant (adverse) effects occur between 1.0km and extend up to 1.5km.

8.402 Beyond 1.5Km, generally it is accepted that individual impacts would be not significant. Yet the cumulative effect of multiple pylons and the continuous overhead linear nature of the Project, mean that the collective impacts create an overall significant adverse effect within the VRA at both construction and operation.

#### *F7 Roxwell:*

8.403 This Visual Receptor Area is located to the south of the Project, west of Chelmsford. It lies broadly between the A1060 and A414, to the west of Writtle. The sole representative viewpoint is identified as:

- Viewpoint 6.06 Galleons Hill, Roxwell
- Viewpoint 6.08 Cooksmill Green
- Viewpoint 6.22 P<sub>RoW</sub> near Skreens Park (Roxwell 20)

8.404 Generally, it is agreed that the Project would be visible in close views from the east of the VRA, that the overhead line is likely prominent in views, and seen on the skyline with little filtering, including from P<sub>RoW</sub>. The Project would be introduced into views otherwise absent of overhead lines.

- 8.405 It is agreed that the scale of change would be large, and the effect would be major and significant (adverse) in close-to views. It is considered major significant adverse effects occur up to 1km not 0.5km.
- 8.406 It is considered generally a medium scale of change, and moderate and significant (adverse) effects do not occur less than 1.0km and extend up to 1.5km. Viewpoint 6.06 Galleons Hill, Roxwell at 1.03km demonstrates at least moderate adverse effects.
- 8.407 Generally, beyond 1.5km it is accepted that individual impacts would be not significant, although the effects on Viewpoint 6.08 Cooksmill Green at 1.76km are arguably still moderate adverse.
- 8.408 Yet the cumulative effect of multiple pylons and the continuous overhead linear nature of the Project, means that the collective impacts create an overall significant adverse effect within the VRA at both construction and operation.

#### *F8 Writtle and Chelmsford West*

- 8.409 This Visual Receptor Area is located to the south of the Project, east of the draft Order Limits. It is centred on Writtle, broadly between the A1060 and A414. There are two representative viewpoints within this Visual Receptor Area.
- Viewpoint 6.19 *Victoria Road, west of Writtle*
  - Viewpoint 6.23 *NCN Route 1 / PRoW near Writtle College (Writtle 19)*
- 8.410 Generally, it is agreed that the Project would be visible in close views from the west of the VRA, with the overhead line prominent in views and likely seen on the skyline with some filtering and screening from existing vegetation and farm buildings / college buildings along Cow Watering Lane. The Project would be introduced into views otherwise absent of overhead lines.
- 8.411 Generally, it is agreed that the Project would be visible in close views from the east of the VRA, and that the overhead line is likely prominent in views, as seen on the skyline with little filtering, including from PRoW. The Project would be introduced into views otherwise absent of overhead lines.
- 8.412 It is agreed that the scale of change would be large, and the effect would be major and significant (adverse) in close-to views.
- 8.413 It is considered major significant adverse effects occur up to 1km not 0.5kmm.
- 8.414 Generally, a medium scale of change and moderate and significant (adverse) effects occur less than between 1.0km and 1.5km. Viewpoint 6.06 Galleons Hill, Roxwell at 1.03Km demonstrates at least moderate adverse effects.
- 8.415 Beyond 1.5Km, generally we accept that individual impacts would be not significant, although the effects on Viewpoint 6.08 Cooksmill Green at 1.76km are arguably still moderate adverse. H

8.416 The cumulative effect of multiple pylons and the continuous overhead linear nature of the Project, means that the collective impacts create an overall significant adverse effect within the VRA at both construction and operation.

#### *F9 Edney Common:*

8.417 This Visual Receptor Area is located to the south of the Project, south-west of Chelmsford. It lies broadly between the A414 and Ivy Barns Lane. The sole representative viewpoint is identified as:

- Viewpoint 6.09 *The Causeway Edney Common*

8.418 This is another VRA where there are no viewpoints in the wider landscape, so VP 6.09 is the sole representation of the VRA at 0.75Km. This is a deeply rural landscape in many aspects and should be represented by further viewpoints both closer to and at c1.5Km from the line.

8.419 While it is accepted that views are limited to the south of the area beyond 1km due to intervening woodland, it is advised that assessment should be made of the area west of Edney Common around footpath Highwood 7 where long- distance views are possible.

8.420 Generally, it is agreed that the Project would be visible in close views from the east of the VRA, with the overhead line prominent in views from the north of the VRA and likely to be seen on the skyline. Woodland at Bakers Wood and around Coptfold Hall would screen and filter views towards the Project in the south, as would the tree cover surrounding properties along Nathan's Lane.

8.421 The Project would be introduced into a landscape otherwise absent of overhead lines.

8.422 It is agreed that the scale of change would be large, and the effect would be major and significant (adverse) in close-to views.

8.423 It is considered major significant adverse effects occur up to 1Km not 0.5 Km. Viewpoint 6.09 *The Causeway Edney Common*, 0.75KM, is representative of this, showing stacking of pylons receding into the distance.

8.424 Generally, a medium scale of change and moderate and significant (adverse) effects occur between 1.0KM and 1.5 km.

8.425 Beyond 1.5Km, generally it is accepted that individual impacts would be not significant. Yet the cumulative effect of multiple pylons and the continuous overhead linear nature of the Project, means that the collective impacts create an overall significant adverse effect within the VRA at both construction and operation.

#### *F10 Hylands Park*

8.426 This Visual Receptor Area is located to the south of the Project, south of Chelmsford. It lies broadly between the A414 and A12. The representative viewpoints are identified as:

- Viewpoint 6.15 *A414, Widford, near Hylands Park*
- Viewpoint 6.26 *Hylands Park, near Hylands House*
- Viewpoint 6.07 *A414 south of Writtle*
- Viewpoint 6.27 *Writtle Road, north of Margareting*

- 8.427 The addition of the viewpoints within and to the northeast corner of Hylands Park Grade 2\* Registered Park and Garden: Viewpoint 6.15 2.48K to north-east of park, and Viewpoint 6.26 at 1.41Km from the centre of the park are welcomed.
- 8.428 Yet our previous concerns related to indirect impacts on the western boundary, on the wider setting of the park. In lieu of a viewpoint from one of the lanes such as Margaretting Road or Nathan's Lane the closest equivalent is Viewpoint 6.27 Writtle Road, north of Margaretting at 0.55Km distant from the Project line. This demonstrates that significant major adverse impacts are likely at that distance.
- 8.429 West of Hylands Park the Project comes within 400m of the Registered Park, so the adverse effects on the setting of the park will likely be even greater than those on Writtle Road.
- 8.430 There is concern that this will effectively sandwich Hylands Park on three sides with linear infrastructure: Greenbury Way to the north, London Road and the railway to the east and the proposed 50m pylons to the west. Further south the A12 effectively creates a barrier. The landscape to the west is currently the only undeveloped rural landscape that forms part of the setting.
- 8.431 It is considered this stretch of overhead line should be reconsidered in either alignment or design.
- 8.432 Generally, it is agreed that the Project would be visible in close views from the east of the VRA, with the overhead line likely prominent in views and seen on the skyline. Woodland, such as King Wood, hedgerows and trees would filter and screen views in places including along parts of Writtle Road. The Project would be visible in a landscape otherwise absent of overhead lines.
- 8.433 It is agreed that the scale of change would be large, and the effect would be major and significant (adverse) in close-to views.
- 8.434 Major significant adverse effects would occur up to 1Km not 0.5 Km. It is considered that generally a medium scale of change and moderate and significant (adverse) effects occur between 1.0km and 1.5 km.
- 8.435 Beyond 1.5km generally it is accepted that individual impacts would be not significant. The cumulative effect of multiple pylons and the continuous overhead linear nature of the Project, mean that the collective impacts create an overall significant adverse effect within the VRA at both construction and operation.

#### *F11 Margaretting and Stock*

- 8.436 This Visual Receptor Area is located to the south of the Project, broadly between the northern edge of Margaretting, defined by the A12 and northern edge of Billericay. The representative viewpoints are identified as:
- Viewpoint 6.11 St Peter's Way, south of Margaretting Tye
  - Viewpoint 7.10 B1007 Stock Road, south of Stock
  - Viewpoint 7.12 Ingatestone Road near White Tyrells

8.437 The additional viewpoints 7.10 and 7.12 are welcomed. The impact from Viewpoint 7.10 is judged to have no effect (not significant). The location of this viewpoint from a road behind a hedgerow is queried. There are several public rights of way through Stock where the topography appears higher, and which could offer further long distance views. These should be explored.

8.438 Viewpoint 7.12 is judged as major and significant (adverse) which is agreed. Yet the visualisation is presented as a wireline which we consider should be a photomontage, considering the pylons are proposed within an open landscape. A photomontage would better represent the significant effects of the introduction of pylons within this viewpoint.

## **Compensation**

8.439 There does not appear to be any compensation offered in relation to the significant residual adverse landscape and visual effects created by the pylons and overhead line along its length.

8.440 The Projects as they stand do not meet (EN-1) 4.3.4 which state ‘... the Applicant must ... show how any likely significant negative effects would be avoided, reduced, mitigated or compensated for, following the mitigation hierarchy.’ The policy has not been followed as there is no compensation offered for the residual negative landscape and visual effects of the overhead line and pylons.

8.441 It is considered that the DCO should not be granted without a substantial funded landscape and visual compensation scheme. This to recognise the long-term significant residual negative and un-mitigatable operational effects on both landscape and visual receptors. The scheme should be alongside but distinct from any proposed community benefits.

8.442 It has been confirmed by NGET that replacement planting will be provided on a 3:1 basis of trees to be removed within the Order Limits. Environmental net gain has not been provided in relation to compensation for the residual adverse landscape and visual effects of the pylons and overhead line along its length. It is not considered that this proposed replacement / reinstatement planting and provision of BNG compensates for the proposed harm to the landscape.

8.443 The planting has been identified as Landscape Compensation within 7.4 Landscape and Ecological Management Plan. Whilst the inclusion of this element of compensation within the LEMP is to be welcomed, it is not considered to be ‘compensation’ in Landscape and Visual Impact terms, judging it to be at best reinstatement for existing mature and semi-mature vegetation that is to be removed during construction.

8.444 Whilst replacement tree planting is welcomed, it does little to compensate for the permanent significant adverse landscape effects caused by the construction of the pylons, overhead line and CSE’s within the district and does not address any of the significant permanent adverse visual effects that will occur.

## **Noise and vibration**

### **Relevant Policies**

## Local policy: Adopted and Submission Chelmsford Local Plan

8.445 Policy DM23- High Quality and Inclusive design, DM29 – Protecting Living conditions and Policy DM30 -Contamination apply. These seek to ensure that development Projects are well designed and safeguard the living environment of any nearby residential properties, ensure that the Project is compatible with neighbouring or existing uses within the vicinity of the site and do not cause contamination.

8.446 The policies have been retained and amended in accordance with the NPPF and form part of the Submission Local Plan, with new Policy S14 relating to Health and Wellbeing being applicable to this Project.

## National Policy

8.447 The following apply:

- Overarching National Policy Statement for Energy (EN-1)
- National Policy Statement for renewable energy infrastructure (EN-3)
- National Policy Statement for electricity networks infrastructure (EN-5)
- National Planning Policy Framework
- National Planning Policy Guidance

8.448 Noise and Vibration is considered in 5.12 of EN-1 2023. It highlights the impact that noise can have on the quality of human life (Paragraph 5.12.1) and wildlife and biodiversity (Paragraph 5.12.4).

8.449 Paragraph 5.12.14 of EN-1 2023 outlines mitigation measures for operational and construction noise, including point 4 which allows for *“using planning conditions/obligations to restrict activities allowed on the site at certain times and/or specifying permissible noise limits/noise levels, differentiating as appropriate between different times of day, such as evenings and late at night, and taking into account seasonality of wildlife in nearby designated sites”*.

8.450 In addition, Paragraph 5.12.18 of EN-1 2023 states that when preparing the Development Consent Order, the Secretary of State should consider including measurable requirements or specifying the mitigation measures to be put in place to ensure that noise levels do not exceed any limits specified in the development consent. These requirements or mitigation measures may apply to the construction, operation, and decommissioning of the energy infrastructure development.

8.451 EN-1 2025 expands the noise and vibration considerations, including strengthened modelling, evidence, and baseline expectations, expanded construction noise and CEMP obligations, greater emphasis on soundscape quality and good acoustic design and more detailed protection for vulnerable groups and health equity.

8.452 Paragraph 187 of the NPPF states that planning policies and decisions should contribute to and enhance the natural and local environment by: *e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by,*

*unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions.*

## **Consideration / Adequacy of the DCO**

- 8.453 CCC's main concerns relate to the effect of noise and vibration upon residential amenity during the construction of the Project and at operational stage. The Project would also impact upon wildlife.
- 8.454 There are several matters of concern in respect to construction noise and vibration that require further consideration by the Applicant.
- 8.455 The "Holford Rules" are used as the guiding principles for routeing new overhead lines. These were originally formulated by Lord Holford, formerly an adviser to the Central Electricity Generation Board (CEGB) in 1959 and later reviewed and supplemented by National Grid in the 1990s. These deal with a number of areas including route planning considerations for areas of high amenity value, scientific interest and urban areas.
- 8.456 The Holford Rules are not specific about residential amenity and simply state "Avoid routing close to residential areas as far as possible on grounds of general amenity".
- 8.457 The main considerations for residential amenity are the visual impact, in terms of whether or not the pylons would be overbearing to the residents, the perceived health impacts and any noise nuisance arising from the long-term positioning of the pylons close to residential properties.
- 8.458 With regard to noise nuisance, the proposed core working hours would be 07:00 to 19:00 Mondays to Fridays; and 07:00 to 17:00 on Saturdays, Sundays and Bank Holidays. This excludes start up and close down activities, which could take place for up to one hour either side of the core working hours.' The hours also exclude other operations that may take place outside of the core working hours including operations commencing during the core working hours which cannot safely be stopped; surveys or monitoring; and operations requested by a third party, for example highway works to avoid disruption to the local road network at peak times.
- 8.459 The proposed working hours raise concern due to their extended nature, in particular at weekends and bank holidays. In Chelmsford normal working hours are 08:00 to 13:00 on Saturdays, with no working on Sundays or bank holidays. The proposed hours of 07:00 to 17:00 over all days the weekend/holiday is a significant increase and raises concern due to the lack of respite from noise for residents. These hours of working are not accepted by CCC.
- 8.460 The Project Order Limits pass through a rural environment, with numerous residential properties located either directly adjacent to, or in close proximity to, the Order Limits.
- 8.461 Rural areas consistently exhibit lower ambient/background sound levels than urban areas, particularly during night-time periods when traffic and human activity reduce significantly. In such low-ambient environments, small absolute increases in noise are more noticeable and can result in greater perceived impact, audibility, and annoyance.

8.462 As a result, construction activities have the potential to cause significant effects on nearby residents and wildlife. It is therefore imperative that construction activities (and associated noise impacts) are appropriately controlled, as reinforced by Paragraph 5.12.18 of EN-1 (2023).

8.463 There are a number of residential properties and other sensitive receptors sited within 200 metres of the proposed pylons, overhead lines and construction areas. As stated in the health and wellbeing section, the dwellings and the pylon numbers are listed below:

- TB124 – 120 m from Annex, Valentines, Boreham Road, Gt Leighs
- TB124 - 158 m from Glebelands, Boreham Road, Gt Leighs
- TB124 – 164 m from 3 Cole Hill Cottages, Boreham Road, Great Leighs (semi detached pair with Porchleigh Cottage)
- TB138 – 156 m from Chatham Hall Bungalow, Chatham Hall Lane, Little Waltham
- TB138 – 183 m from Albion House, Braintree Road, Little Waltham
- TB141 – 72 m from Windmill House, Chelmsford Road, Great Waltham
- TB141 – 117 m from The Red House, Chelmsford Road, Great Waltham
- TB141 – 144 m from Little Bakers Cottage, Chelmsford Road, Great Waltham
- TB141 – 183 m from 1 Lace Cottages Chelmsford Road Great Waltham (semi-detached pair with 2 Lace Cottages)
- TB141 – 197.6 m from Sweet Briar, Chelmsford Road, Great Waltham
- TB141 – 177.4 m from Corner Cottage Chelmsford Road, Great Waltham (semi-detached pair with Meadowview)
- TB141 – 180 m from Larks Lodge, Larks Lane, Great Waltham
- TB142 – 194 m from Balls Farm, Larks Lane, Great Waltham
- TB142 – 187 m from Rievers, Larks Lane, Great Waltham
- TB143 – 152 m from Balls Farm, Larks Lane Great Waltham
- TB144 – 154 m from Rose Cottage, Larks Lane, Great Waltham
- TB155 – 200 m from Springwood, Mashbury Road, Chignal St James
- TB156 – 185 m from Springwood, Mashbury Road, Chignal St James
- TB156 – 200 m from Brittons Hall Farm Mashbury Road, Chignal St James
- TB162 – 185 m from The Haven, Roxwell Road, Writtle
- TB162 – 182 m from Bylake Kennels, Roxwell Road, Writtle
- TB169 – 147 m from Range Cottage, Ongar Road West, Writtle
- TB171 – 140 from Annex at Halfway House, Highwood Road, Writtle
- TB171 – 200 m from Caravan at Littlefield, Highwood Road, Writtle
- TB174 – 190 m from Green Acre, Bumpsteads Farm, Margaretting Road, Writtle
- TB174 – 197 m from Victors Croft, Nathans Lane, Writtle
- TB175 – 191 m from The Willows, Nathans Lane, Writtle
- TB179 – 200 m from Copfold Hall Farm, Writtle Road, Margaretting
- TB180 – 180 m from Inner Lodge, Writtle Road, Margaretting
- TB181 – 193 m from Hoopers, Ivy Barns Lane, Margaretting (semi detached pair with Ivy Barns)
- TB182 – 169 from Marshalls Farm, Handley Green Lane, Margaretting
- TB182 – 170 m from Handley Green Barn, Handley Green Lane, Margaretting
- TB182 - 187m from Handley Green House, Handley Green Margaretting
- TB192 – 131m from Buttsbury Hall farm, Ingatestone Road, Stock
- TB193 - 120 m from White Tyrells Cottages, Ingatestone Road, Stock

8.464 Other sensitive receptors include Sturgeons Farm, Writtle which is operated by Writtle University College and is sited close to pylons TB164 – TB167.

- 8.465 CCC's view is that there is a need for noise levels to be lower where the Project is sited close to residential properties and urban receptors and wildlife. At weekends, where overall noise levels are generally lower, there could be a perception that weekend working noise levels could appear higher.
- 8.466 CCC consider that if more reasonable construction working hours were adopted, such as Monday to Friday 07:00–19:00 and Saturday 08:00–13:00, in line with the recommended limits set out in BS 5228-1, the likely impacts on affected properties would be reduced.
- 8.467 Currently it is not clear how noise levels would be affected; should the pylons be relocated in accordance with the Limits of Deviation. This is particularly concerning, with regard to the installation of lower height pylons at Great Waltham and Little Waltham, where the LOD allow for the movement and installation of full height pylons (TB140, TB141 and TB141) close to Windmill House and properties sited along Chelmsford Road. Should the pylons be moved or sited closer to such properties, there could be an increase in noise levels which would need to be appropriately assessed and mitigated.
- 8.468 NGET suggests that longer working hours will result in the Project's construction being completed sooner but given the duration of associated disturbance to the local communities there is a balance to be struck, respite should be extended to all those affected by the Project.
- 8.469 Should the ExA decide not to adopt CCC's proposed construction hours, CCC considers that there should be a temporal restriction placed on the residential receptors listed above, wherein construction hours exclude weekend and bank holiday working.
- 8.470 This approach was undertaken on the Bramford to Twinstead Development Consent Order, where requirement 7 (5) page 65 PINS reference EN020002 forbade construction activities between the hours of 19:00 and 07:00 or on Sundays, Bank Holidays or other public holidays.
- 8.471 In addition, requirement 7(5) of the dDCO would permit start-up and close-down activities to take place for up to one hour either side of the core working hours, with no specified noise limit expressed in decibels (dB). Further, a number of construction activities are permitted to take place outside of the core working hours listed in Requirement 7(4).
- 8.472 Taken together, the proposed construction hours, the start-up and close-down provisions, and the activities permitted outside core working hours are considered by CCC to be excessive in the context of this rural location. This approach provides limited respite for noise-sensitive receptors (NSRs) and, particularly at weekends. In addition, with regard to piling activities (Requirement 7(2)), CCC considers that the proposed restriction should apply to all piling operations, rather than limited to percussive piling only.
- 8.473 CCC considers that if more reasonable construction working hours were adopted, such as Monday to Friday 07:00–19:00 and Saturday 08:00–13:00, in line with the recommended limits set out in BS 5228-1, and in combination with the other amendments identified above, the likely impacts on NSRs would be significantly reduced and would be less likely to necessitate additional temporal restrictions.
- 8.474 It is unclear where generators will be located. Chapter 4 of the ES sets out a list of proposed temporary construction compounds. However, Chapter 7 Figure 7.7 identifies temporary construction areas, some of the temporary construction compounds set out in Chapter 4 and

other construction areas with 100m buffers. Figure 7.7 needs to be updated to clearly identify where generators are to be housed. There is no information relating to the potential size of generators. With the current lack of information, it is not possible to review the effect any further and additional information is requested to enable the amenity effects arising from noise and vibration from generators to be assessed.

8.475 Post construction, it is understood that the overhead lines can generate a crackling sound accompanied by a low frequency hum known as “corona discharge”. Whilst the overhead lines are constructed to minimise this it is understood that weather conditions, particularly damp weather can result in higher noise levels. NGET’s own document “Design Guidelines for development near pylons and high voltage overhead power lines” states that it is possible for the developer to mitigate significantly the effects of noise from an existing overhead line by attention to site layout and design of new developments, for example by including landscaping or by placing the noise sensitive elements away from the lines.

8.476 Notwithstanding any mitigation, the post noise impacts will be long standing and permanent and may not be perceived by those living close to the pylons as acceptable.

8.477 The Limits of Deviation enable the movement of pylons along the Overhead Line without consultation. This is unacceptable as the movement could lead to increased and unacceptable harm. Noise receptors should be reassessed for any movement along the Overhead Line to ensure that they do not lead to harm to residents’ amenities.

8.478 It is essential that NGET genuinely engages with the local communities and parish and town councils. The issue of the impact on wellbeing will be felt across Chelmsford.

## **Socio-Economics, Recreation and Tourism**

### **Relevant Policies**

#### **Local policy and evidence base:**

#### **Adopted and Submission Chelmsford Local Plan**

8.479 Strategic policy S7 – The Spatial Strategy applies. This states that beyond the main settlements the Council will support diversification of the rural economy and the conservation and enhancement of the local economy. Strategic Policy S8 – Delivering Economic Growth, also applies and gives support to the sustainable growth and expansion of rural businesses.

8.480 The policies have been retained and amended in accordance with the NPPF and form part of the Submission Local Plan, with new Policy S14 relating to Health and Wellbeing being applicable to this Project.

### **National Policy**

8.481 The following apply:

- Overarching National Policy Statement for Energy (EN-1)
- National Policy Statement for renewable energy infrastructure (EN-3)
- National Policy Statement for electricity networks infrastructure (EN-5)

- National Planning Policy Framework
- National Planning Policy Guidance

8.482 Paragraph 5.13.6 of NPS – EN1 (2023) recognises the multi-disciplinary nature of the specialism advising that socio-economic impacts may be linked to other impacts, for example visual impacts that may also have an impact on tourism and local businesses. Applicants are encouraged, where possible, to demonstrate that local suppliers have been considered in any supply chain.

8.483 Paragraph 5.13.7 of NPS – EN1 (2023) reiterates the need to consider accommodation, advising that Applicants should consider developing accommodation strategies where appropriate, especially during construction and decommissioning phases, that would include the need to provide temporary accommodation for construction workers if required.

8.484 Paragraph 5.13.12 of NPS – EN1 (2023) states that the Secretary of State may wish to include a requirement that specifies the approval by the local authority of an employment and skills plan detailing arrangements to promote local employment and skills development opportunities, including apprenticeships, education, engagement with local schools and colleges and training programmes to be enacted.

8.485 NPS – EN1 (2025) reiterates this guidance, noting at paragraph 5.13.12 that the Secretary of State may wish to include a requirement relating to an employment and skills plan.

### **Consideration and Adequacy of the DCO**

8.486 CCC's main concern relates to the construction impacts of the development upon local businesses, the effect upon recreation and tourism and the cumulative impact of the Project.

8.487 The Project would affect existing businesses sited along the proposed pylon route and associated construction route. Much of the area proposed to site the pylons within is in agricultural use and the Project would lead to some severance of agricultural fields and access to and from businesses including agricultural land holdings, especially in busy traffic conditions during the construction of the development, should the DCO be granted.

8.488 CCC is concerned the Project would have detrimental socio-economic, recreation and tourism impacts.

8.489 The Project would affect existing businesses sited along the proposed pylon route and associated construction route. Much of the area proposed to site the pylons within is in agricultural use. The Project would lead to some severance of agricultural fields and access to and from businesses including agricultural land holdings, especially in busy traffic conditions during the construction of the development, should the DCO be granted.

8.490 During the construction of the development, community liaison would be critical to mitigate and address local concerns; with appropriate compensation paid to those whose concerns cannot be mitigated. The construction effects would be particularly noticeable around Margaretting and Writtle, whose communities experience a high number of events including national events hosted at Hylands House. Detrimental effects on access to events and local businesses, however temporary, would be unacceptable. Permanent effects on the Essex Scouts Jamboree near Boyton Cross, Roxwell should be considered and mitigated as appropriate.

8.491 The Project would create temporary benefits on local employment generation and the local economy during the construction of the development. A local skills and employment plan is absent from the Projects. This should be secured to help maximise the benefits to the local economy and create localised training opportunities and jobs. Appropriate training should be provided to enable the local workforce to continue to fulfil future Projects and provide operational support to the pylons and overhead lines should the DCO be granted.

8.492 The Skills and Employment Plan should include:

- Clear delivery plans for apprenticeships, work placements, school engagement and training programmes,
- Commitments to local job creation and use of local contractors where feasible,
- Evidence-based interventions informed by community engagement and local labour market data,
- A sustainability and legacy framework to ensure initiatives continue from construction through to operation.

8.493 A Skills Fund, proportionate to the scale and impact of the development, should be prepared and used to:

- Invest in local further education facilities and provision
- Support employment and skills programmes
- Enhance careers education and school engagement
- Fund Officer resource for consultation and monitoring of the employment and skills strategy

## **Public Rights of Way**

8.494 There are several Public Rights of Way (PRoW) within and abutting the Order Limits and CCC defers to Essex County Council PRoW team regarding the impact of the Project upon these. The PRoW are an important feature in providing access and recreational opportunities within the countryside and contribute to the recreational and tourism value of the Project. The PRoW would need to remain open during the construction of the development to maintain recreational access to the countryside.

8.495 Regard would need to be had to the impact of the Project upon recreation and tourism, through ensuring that Chelmsford's valued rural landscape remains open and accessible. The landscapes affected by the Project are often undeveloped, rural landscapes where intervisibility can be quite high due to being either large scale flat or gently undulating landscapes or where the scale of the pylons and overhead wires means the effect is an industrialisation of the countryside. The Project would harmfully impact upon the recreational value and character and tranquillity of the countryside. The associated harm to local business and recreational and tourism value, would need to be balanced by the ExA.

8.496 CCC is concerned about the inclusion of Sunday and Bank Holidays to the core working hours in relation to socio- economic industry and enjoyment of the countryside. The proposed working hours raise concern due to their extended nature, in particular at weekends and bank holidays where residents and users of the countryside would ordinarily expect respite from operations during the weekend.

8.497 Cumulatively there is concern that should the DCO be granted, it would coincide with the construction of the Lower Thames Crossing. Although the anticipation is that there would be only 10% of local labour, there would be high demand across the area. Subject to season, those staying in local accommodation, could use vital bed space to which CCC is extremely short of.

## **Traffic and Transport**

### **Relevant Policies**

#### **Local Policy and evidence base: Adopted and Submission Chelmsford Local Plan**

8.498 Policy DM19 – Renewable and Low Carbon Energy applies. This states that planning permission will be granted for renewable or local carbon energy developments provided they will not have a detrimental impact upon highway safety.

8.499 Policies DM27 – Parking standards, DM29 – Protecting Living and Working Conditions and DM30 – Contamination and Pollution of the Chelmsford Local Plan are also relevant. These seek to ensure that development Projects are well designed and safeguard the living environment of any nearby residential properties, ensure that the Project is compatible with neighbouring or existing uses within the vicinity of the site and do not cause contamination.

8.500 The policies have been retained and amended in accordance with the NPPF and form part of the Submission Local Plan, with new Policy S14 relating to Health and Wellbeing being applicable to this Project.

### **National Policy**

8.501 The following apply:

- Overarching National Policy Statement for Energy (EN-1)
- National Policy Statement for renewable energy infrastructure (EN-3)
- National Policy Statement for electricity networks infrastructure (EN-5)
- National Planning Policy Framework
- National Planning Policy Guidance

8.502 Paragraph 5.14.18 of NPS – EN1 (2023) states that a new energy NSIP may give rise to substantial impacts on the surrounding transport infrastructure and the Secretary of State should therefore ensure that the Applicant has sought to mitigate these impacts, including during the construction phase of the development and by enhancing active, public and shared transport provision and accessibility.

8.503 Paragraph 5.14.19 of NPS – EN1 (2023) states that where the proposed mitigation measures are insufficient to reduce the impact on the transport infrastructure to acceptable levels, the Secretary of State should consider requirements to mitigate adverse impacts on transport networks arising from the development.

8.504 Paragraph 5.14.19 and 5.14.19 of NPS – EN1 (2025) reiterate this guidance.

## **Consideration and Adequacy of the DCO**

- 8.505 Chelmsford City Council will be guided by Essex County Council Highways Authority regarding the impact upon the highway network.
- 8.506 The main concern is the impact of the Project upon the local highway network and Public Rights of Way (PRoW).
- 8.507 It is understood the Project would harmfully impact upon the local highway network and Public Rights of Way (PRoW). The effects would be particularly noticeable during the construction of the development and from the on-going maintenance and operation of the pylons, overhead lines and associated equipment.
- 8.508 It is noted that the A1060 Roxwell Road is the subject of a potential new road safety scheme involving average speed cameras. The scheme is being worked up as part of Essex County Council's Vision Zero approach to road safety with the aspiration of eliminating all road deaths and serious injuries in Essex by 2040. There are concerns that with the extra number of construction vehicles and large vehicle types using the link as part of the designated construction route that there will be an additional impact on safety. Further discussions are needed on areas of the network where accidents have been identified along the construction routes.
- 8.509 The construction of the development would give rise to a wide range of public health impacts, resulting in harm to the local communities that the Project would sit. Matters including construction routes, hours of operation, the formation of vehicular accesses, traffic management and associated safety operations would need to be fully considered and mitigated as part of the Projects, with appropriate mitigation provided.
- 8.510 Cumulatively, the impacts of the Project on all other existing NSIPS and strategic sites need to be considered with further consideration given to the following:
- Essex residents and businesses;
  - Mitigation of traffic impacts at sensitive junction locations on the wider network;
  - Mitigation of construction routes on sensitive receptors;
  - Measures to reduce localised impacts associated with construction workers and construction traffic;
  - The design and monitoring of the traffic management in the relatively long-term situations.

## Design

### Relevant Policies

#### Local policy and evidence base: Adopted and Submission Chelmsford Local Plan

- 8.511 Policy DM23 –Inclusive and High Quality Design applies. This requires development to respect the character and appearance of the area in which it is located, and states that development must be compatible with its surroundings having regard to scale, siting, form, architecture, materials, boundary treatment and landscape.
- 8.512 The policy has been retained and amended in accordance with the NPPF and forms part of the Submission Local Plan, with new Policy S14 relating to Health and Wellbeing being applicable to this Project.

## National Policy

8.513 The following apply:

- Overarching National Policy Statement for Energy (EN-1)
- National Policy Statement for renewable energy infrastructure (EN-3)
- National Policy Statement for electricity networks infrastructure (EN-5)
- National Planning Policy Framework
- National Planning Policy Guidance

8.514 Paragraph 4.7.1 of NPS EN-1 (2023) states that high quality and inclusive design goes far beyond aesthetic considerations. The functionality of an object – be it a building or other type of infrastructure – including fitness for purpose and sustainability, is equally important.

8.515 Paragraph 4.7.2 of NPS EN-1 (2023) states that applying good design to energy Projects should produce sustainable infrastructure sensitive to place, including impacts on heritage, efficient in the use of natural resources, including land-use, and energy used in their construction and operation, matched by an appearance that demonstrates good aesthetic as far as possible. It is acknowledged, however that the nature of energy infrastructure development will often limit the extent to which it can contribute to the enhancement of the quality of the area.

8.516 4.7.3 of NPS EN-1 (2023) states that good design is also a means by which many policy objectives in the NPSs can be met, for example the impact sections show how good design, in terms of siting and use of appropriate technologies, can help mitigate adverse impacts such as noise. Projects should look to use modern methods of construction and sustainable design practices such as use of sustainable timber and low carbon concrete. Where possible, Projects should include the reuse of material.

8.517 Paragraph 4.7.4 states that given the benefits of good design in mitigating the adverse impacts of a Project, Applicants should consider how good design can be applied to a Project during the early stages of the Project lifecycle.

8.518 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, land form and vegetation. Furthermore, the design and sensitive use of materials in any associated development such as electricity substations will assist in ensuring that such development contributes to the quality of the area.

8.519 The principles are reiterated in NPS EN-1 (2025). Paragraph 4.7.8 of NPS EN-1 (2025) notes that Applicants should consider taking independent professional advice on the design aspects of the proposal, in particular by asking the Design Council to undertake a design review. To the best of CCC's knowledge, the Design Council were not approached.

8.520 Paragraph 4.7.12 of NPS EN-1 (202%) states that many of the wider impacts of a development such as landscape and environmental impacts will be important factors in the design process.

## Consideration and adequacy of the DCO

8.521 The Planning Act 2008 requires the Secretary of State to have regard in determining applications for development consent to the desirability of good design. Advice in NPS EN1 Section 4.7 seeks Applicants to consider the criteria for good design at an early stage when developing Projects. Achieving good design requires a holistic approach to deliver high quality, sustainable infrastructure that responds to place and takes account of often complex environments. CCC draws upon paragraph 4.7.4 of the NPS EN1 which considers how good design can mitigate the adverse impacts of a Project and continues to encourage the Applicant to consider all opportunities to reduce the impact of the Project on the communities and environment of the administrative area of Chelmsford.

8.522 CCC recognises within Part 2.4, 'Consideration of good design for energy infrastructure' of NPS EN5 the "functional design constraints of safety and security" may "limit an Applicant's ability to influence the aesthetic appearance of that infrastructure". Given the scale of the Project, CCC considers that design should feature as a key matter in the Examination.

8.523 In isolation and cumulatively, the pylons and overhead lines have locally significant effects on the wider visual amenities of the area. An opportunity exists to ensure the appearance of any substantial structures across the Project are appropriate for the locations through innovative design and approach to external appearance. This is particularly relevant to Great Waltham and Little Waltham where the introduction of T pylons could help to offset some concerns. The approach would be consistent with Para 4.7.6 of NPS EN1 where it 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."

8.524 Good design outcomes should have positive effects on the character of a place and delivery of public benefits and NGET should be aiming to ensure that this is achieved across the scheme. CCC considers that there is an opportunity to be innovative in the approach to design while ensuring the infrastructure remains safe and secure. NGET must follow a good design process to ensuring that the infrastructure proposed remains functional while realising the best local design outcomes

## Cumulative Effects

### Relevant Policies

#### Local policy and evidence base: Adopted and Submission Chelmsford Local Plan

8.525 In relation to cumulative effects, due to the broad nature of this subject, many of the policies listed within above apply. Of particular relevance are the following policies.

8.526 Policies S3 – Conserving and Enhancing the Historic Environment and S4 - Conserving and Enhancing the Natural Environment of the Adopted Chelmsford Local Plan apply. These seek to protect the historic environment and the countryside from harmful development and set out the circumstances where development may be granted.

8.527 DM6 – New Buildings and Structures in the Green Belt, DM7 – New Buildings and Structures in the Green Wedge, DM8 - New Buildings and Structures in the Rural Area and DM10 – Change of Use (Land and Buildings) and engineering operations seek to protect the openness of the

Green Belt from inappropriate development and character and appearance of the countryside and Green Wedge. They also set out the circumstances where new buildings / change of use or engineering operations may be granted.

8.528 Policies DM13 – Designated Heritage Assets and DM14 – Non Designated Heritage Assets apply to designated and non-designated heritage assets and DM15 relates to archaeology. The policies seek to protect heritage assets from harm and set out the circumstances where development affecting these features will be granted.

8.529 Policies DM16 – Ecology and Biodiversity and DM17 - Trees, Woodland and Landscape features seek to protect these features from adverse impacts and effects and set out the circumstances where development may be granted.

8.530 Policy DM23- High Quality and Inclusive design, DM29 – Protecting Living conditions and Policy DM30 Contamination also apply. These seek to ensure that development Projects are well designed and safeguard the living environment of any nearby residential properties, ensure that the Project is compatible with neighbouring or existing uses within the vicinity of the site and do not cause contamination.

8.531 On policy S4, - Conserving and Enhancing the Natural Environment, it is noted that BNG is now statutory. Policies DM6, DM10 and DM11 contains no reference to the Green Belt but remains consistent with the NPPF. On Policy DM16 – Ecology and Woodland, BNG is now statutory.

8.532 The policies have been retained and amended in accordance with the NPPF and form part of the Submission Local Plan, with new Policy S14 relating to Health and Wellbeing being applicable to this Project.

### **National Policy**

8.533 The following apply:

- Overarching National Policy Statement for Energy (EN-1)
- National Policy Statement for renewable energy infrastructure (EN-3)
- National Policy Statement for electricity networks infrastructure (EN-5)
- National Planning Policy Framework
- National Planning Policy Guidance

8.534 As many of the issues relating to cumulative impacts fall within the wider ES headings, specific reference to the relevant paragraphs of the NPS's are given in the preceding sections above.

### **Consideration and Adequacy of the DCO**

8.535 There are several developments within the area that may be affected by the Projects. These include, but are not limited to, the Longfield Solar Farm Development Consent Order – new solar array creating 500 MW of energy, the Countryside zest (Beaulieu Park) LLP – Garden Community and the Lower Thames Crossing Nationally Significant Infrastructure Project (NSIP). The greatest effects would be felt during the construction of the development.

8.536 The Project has potential to give rise to intra-Project cumulative effects, and these will need to be considered for all receptors, especially with regard to agriculture and soil, ecology and historic receptors which have not been considered further. Other receptors include ecology, highways, landscape and visual and noise for example.

## Ecology

8.537 Paragraph 17.5.39 of Chapter 17 – Cumulative Effects Ecology and Biodiversity states that based on the data available on other developments it was determined that inter-Project cumulative effects on ecology and biodiversity receptors within the areas surrounding the Project would be not significant during both construction and operation (and maintenance). This is either due to the distance of the Project to other development, or due to a lack of notable ecological receptors/lack of connectivity for any protected species to reach the Project, or because of different habitats being affected within the Zone of Influence of other developments.

8.538 It is considered that the embedded mitigation of the Project route has very largely avoided a potential for significant impacts on any designated sites.

8.539 The construction phase is expected to have primarily temporary impacts. After the construction of the pylons, overhead lines, and underground cable sections, those areas are anticipated to be restored back to similar, if not equivalent, natural habitats (although bearing in mind a currently limited habitat establishment commitment and on-going vegetation height management requirements).

8.540 The operational stage of the Project has very few and limited potential ecological impact pathways.

8.541 The Norwich to Tilbury Project as a whole has significant ecological impact potential owing to its scale – a 180km electricity transmission route plus compounds and construction infrastructure. However, where a lesser component section of the Project may share a zone of influence with another development Project, that section alone would be expected to have a much lower impact potential.

## Landscape and Visual

8.542 A large number of significant Intra Project landscape and visual effects associated with the Project have been identified, as reported in Chapter 13: Landscape and Visual (document reference 6.13). Based on the data available on the other developments, the assessment identified 47 shortlisted other development with the potential to contribute to significant inter-Project effects on landscape and visual receptors during construction, and 34 during operation (and maintenance).

8.543 These other developments have the potential to contribute to major and significant inter-Project effects on Landscape Character Types (LCT) or Visual Receptors Areas (VRA). Despite this, para 17.5.58 states 'No additional mitigation measures beyond those proposed in Chapter 13: Landscape and Visual (Ref 6.13) have been identified'. Whilst it is agreed that it is not practicable to mitigate these due to scale of the works and the height of the pylons, significant compensation should be secured to mitigate against this impact.

- 8.544 The Project would lead to a large number of significant landscape and visual effects during both construction and operation. Whilst it may not be practicable to mitigate these due to scale of the works and the height of the pylons, significant compensation in the form of a funding package should be secured under a side agreement in partnership with the relevant authorities and environmental partners should be provided.
- 8.545 Significant cumulative effects at the construction stage are identified on Pedestrians, Cyclists and Horse Riders in many Visual Receptor Areas (VRAs) and yet paragraph 17.4.21 identifies ‘... no additional mitigation measures were identified in addition to those already identified within the environmental topic assessments’ (Our underlining). The decision-making assumptions that gave rise to these conclusions need clarifying.
- 8.546 Paragraph 17.4.18 identifies that ‘No effects on common receptors during the operation (and maintenance) phase of the Project have been identified which could give rise to intra-Project cumulative effects and are therefore not considered further.’ This is queried in relation to Agricultural and soil receptors, Landscape, Ecology and Historic receptors.

### Archaeology

- 8.547 There are a number of developments which are proposed, or under construction across Essex (in particular, within the Tendring Peninsula, Thurrock and other Nationally Significant Infrastructure Projects (NSIPs) schemes dependant on Norwich to Tilbury) which have potential to have cumulative effects on archaeology due to the scale and nature of the development.
- 8.548 Cumulative effects of the development are split by the application into two categories: intra-Project and inter-Project. Archaeological remains are not considered potential receptors to give rise to intra-Project cumulative effects.
- 8.549 Inter-Project cumulative effects are those which are resultant of the combination of the Norwich to Tilbury Project and other existing Projects. Effects to non-designated heritage assets/archaeological remains have been identified for the Project and separately for other developments and are listed in Table A17.3.1 in Document 6.17.A3 Environmental Statement Appendix 17.3 - Inter-Project Cumulative Effects (APP 284).
- 8.550 No significant inter-Project cumulative effects have been identified for archaeological remains as part of the assessment. The reasoning for this is expanded in Section 17.5.52 (APP-281) which states: “While there would be overlap of the Order Limits for other developments and the Project, effects to archaeology would only occur once by whichever construction would take place first. These effects would be mitigated as appropriate and agreed with the LPA (such as through excavation, recording, and publication). Any affected archaeology would be removed as a result of the mitigation/construction and therefore the inter-Project effects for construction and operation (and maintenance) would be negligible and not significant.”
- 8.551 This statement is incorrect as the cumulative effects would be derived from the increase in land take across the combined Order Limits of both or more Projects and not from overlap. For example, in Tendring District a separate substation is planned to be erected adjacent to the substations required for both Five Estuaries and North Falls Offshore Windfarms and not within the same parcels of land.
- 8.552 Similarly, the Lower Thames Crossing within Thurrock District will result in a significant impact on archaeological remains that would be increased by the groundworks required for the

construction of a substation for Norwich to Tilbury as well as pylon bases and associated infrastructure.

8.553 The cumulative impact of the Project would be because of the increase in the total area of land take and not overlap, and therefore the scale of potential archaeological remains which could be lost as a result of the mitigation / construction is increased. Archaeological remains are a finite and non-renewable resource. This cumulative impact may not be determined as significant through the process of the assessment but should be considered an adverse effect of the Project wherever they are removed. As the nature of the archaeological remains that may be affected is currently unknown the impact and significance cannot be determined effectively through this form of assessment. While mitigation by record may reduce the cumulative impact in EIA terms, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted (NPPF, 2004 Paragraph 218).

### **Noise, Health and Wellbeing**

8.554 CCC is particularly concerned regarding the cumulative noise and construction impacts arising from these developments. Cumulatively taken all together the Project has potential to lead to significant adverse effects. It is crucial that residents get regular breaks, and the proposed development is well managed, controlled and integrated within existing permitted development schemes. Reasonable hours of work and good construction traffic management are one of the key measures to reduce impact.

### **Other Impacts**

8.555 Cumulatively there is concern that should the DCO be granted, it would coincide with the construction of the Lower Thames Crossing. Although the anticipation is that there would be only 10% of local labour, there would be high demand across the area. Subject to season, those staying in local accommodation, could use vital bed space to which CCC is extremely short of.

8.556 Cumulatively, the impacts of the Project on all other existing NSIPS and strategic sites need to be considered with further consideration given to the following:

- Essex residents and businesses;
- Mitigation of traffic impacts at sensitive junction locations on the wider network;
- Mitigation of construction routes on sensitive receptors;
- Measures to reduce localised impacts associated with construction workers and construction traffic;
- The design and monitoring of the traffic management in the relatively long-term situations.

### **Other Matters**

#### **Agriculture and Soils**

##### **Local policy and evidence base: Adopted and Submission Chelmsford Local Plan**

8.557 Policy DM19 of the Chelmsford Local Plan applies. This states that planning permission will be granted for renewable or low carbon energy developments provided they can iii) can demonstrate no adverse effect on the natural environment including designated sites. Policy

S4- Conserving and enhancing the Natural Environment, of the Chelmsford Local Plan states that the Council will seek to minimise the loss of best and most versatile agricultural land (grades 1, 2 and 3a) to major development.

### **National Planning Policy**

- 8.558 Paragraph 5.11.15 of EN-1 (2023) states that proposals should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, preventing unacceptable levels of soil, air, water or noise pollution, and remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land.
- 8.559 Paragraph 5.11.12 of EN-1 (2023) states that Applicants should seek to minimise impacts on the Best and Most Versatile agricultural land (defined as land in grades 1, 2 and 3a of the Agricultural Land Classification (ACL)) and, where significant development of agricultural land is demonstrated to be necessary, they should prefer poorer quality land (grades 3b, 4 and 5).
- 8.560 In addition, Paragraph 5.11.13 of EN-1 (2023) states that Applicants should identify the effects of a development on soil quality, and on soil functions, and seek to minimise impacts. Measures that protect or improve soil health should be considered.
- 8.561 Paragraph 5.11.34 of EN-1 (2023) states that the Secretary of State will need to be satisfied that the reasoning and evidence presented by the Applicant justifies the loss of open space or agricultural land, including the best and most versatile agricultural land, and that the benefits (including the need for the infrastructure) clearly outweigh the loss. Where possible, poorer quality land should be preferred.
- 8.562 EN-1 (2025) provides a stronger emphasis for soils and agriculture including linking impacts to BNG, wider environmental net gain and Local Nature Recovery Strategies. It also expands requirements for cumulative impact assessments, a tightened justification test for loss of BMV land, and new long term soil restoration and monitoring expectations.
- 8.563 Paragraph 187 of the NPPF (2024) states that planning decision should enhance the natural environment by; a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan); b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.

### **Consideration and Adequacy of the DCO**

- 8.564 CCC defers to Essex County Council Minerals and Waste planning in respect of impact upon soils. The construction of the Project will raise operational waste management and disposal issues and consideration would need to be given at Requirements stage within a Site Waste / Materials Management Plan.
- 8.565 In relation to agriculture, CCC's main concern is the loss of Best and Most Versatile agricultural land and disruption of agricultural activities as a consequence of the loss of agricultural land.

- 8.566 The NPPF at paragraph 187 (b) states that planning policies and decisions should contribute to and enhance the natural environment by recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services - including the economic and other benefits of the best and most versatile agricultural land.
- 8.567 Annex 2: Glossary of the NPPF defines Best and Most Versatile (BMV) agricultural land as land in Grade's 1, 2 and 3a of the Agricultural Land Classification.
- 8.568 NGET has undertaken Agricultural Land Surveying, but noted that only 1011 ha, representing 54% of the proposed survey areas within the Order limits. Predictive and desk-based surveying has been undertaken for the remaining areas. this has taken place at the provisional level. There has been no differentiation between Agricultural Land Grade 3, where 3a is classified as Best and Most Versatile agricultural land.
- 8.569 In Chelmsford, table 6.8 provisionally mapped BMV land across the Project of Chapter 6 – indicates that all of the 392 hectares of land that form part of the Project, fall within Grades 1, 2 and 3 land (ha).
- 8.570 For section F, Chelmsford where detailed Agricultural mapping has taken place, 100.6 ha (26%) would be Grade two, 249.2ha (64%) would be Grade 3a and 42.3 ha (10%) Grade 3b. In section G, Chelmsford District, Brentwood District and Basildon District, 6.6 (2%) would be Grade 1, 10.2 ha (4%) would be Grade two, 62.9ha (23%) would be Grade 3a, 79.7 ha (29%) Grade 3b and 16.5 (6%) would be non agricultural.
- 8.571 The Project would require the removal of agricultural land and soil during the construction phase, where there would be disturbance to soils from the construction of temporary access and haul roads temporary construction compounds and laydown areas. Soil stripping would be required for working areas relating to pylon construction and for the permanent foundation of pylons and substations. The Project would lead to a temporary adverse effect which would be of major significance.
- 8.572 During operation, over the entire Project route, the pylon foundations would lead to the loss of 4.5 hectares of Grade 1, 2 and 3a (BMV) and the permanent access routes 135.5 hectares.
- 8.573 Effects upon land would be mitigated through Embedded and Standard Mitigation and an Outline Code of Construction Practice (OCOCP) has been prepared to set out how the land would be managed. This would be supported by an Outline Soil Resource Management Plan (SRMP) .
- 8.574 Where practicable, the Project seeks to return land to its former condition, with Projects to ensure the protection and conservation of soil resources on site and management of traffic.
- 8.575 The loss of BMV land is significant and weighs against the Projects as National and Local Planning policies seek to protect this finite resource.
- 8.576 Yet many of the effects would be at construction stage and mitigation measures within the OCOCP and SRM would ensure the protection and conservation of soil resources on site during operation during the operation of the development. Chelmsford City Council does not therefore, object to the loss of agricultural land in principle.

## **Contaminated Land, Geology and Hydrogeology**

- 8.577 CCC defers to Essex County Council Local Lead Flood Authority (LLFA), Highways Authority and the Environment Agency in respect of these matters.
- 8.578 The Secretary of State should be satisfied that development consent can be granted taking full account of environmental impacts.
- 8.579 Any effects and harm arising from contamination during both the construction and operational effects of the Project would need to be appropriately mitigated in accordance with the relevant legislation.

### **Hydrology, Land Drainage and Flood Risk**

- 8.580 CCC defers to Essex County Council Local Lead Flood Authority (LLFA), Highways Authority and the Environment Agency in respect of these matters. Effects upon water courses and drainage may lead in indirect effects upon ecology, flora and fauna (including trees) agriculture and soils and residential amenity such that a holistic approach regarding the appliance of mitigation.

## 9. Mitigation and Compensation

### General Position

- 9.1 The application is silent on the provision of community benefits or compensation.
- 9.2 The Project would have clear and extensive residual impacts arising that would adversely affect the local economy and environment, as well as the health and wellbeing of communities in Chelmsford. These impacts cannot be sufficiently mitigated or compensated through the planning regime.
- 9.3 CCC contends that while the Norwich to Tilbury Project would deliver significant benefits at a national level, this will not offset the harm at the local level. This is unacceptable to CCC and CCC objects to the lack of appropriate mitigation and compensation.
- 9.4 CCC recognise the timing for the Project is driven by the need for capacity in the transmission system by 2030. Yet it is CCC's view that such benefit should not and cannot be secured at the expense of Chelmsford's local communities, landscapes and environments that would be affected by the Project.

### Relevant Planning Policies

- 9.5 The Vision for Chelmsford states that:
- 9.6 "To continue the existing successes from the growth of Chelmsford City Council's area by embracing our role as England's newest City and the Capital of Essex. Chelmsford will be a sub-regional catalyst for change, providing new sustainable neighbourhoods and attracting inward investment for a wide range of businesses across our area. This also means maximising development opportunities within a compact and vibrant City Centre. This positive change will optimise the opportunities for new and upgraded infrastructure including cultural, leisure and recreation facilities, shops, education and healthcare services and also provide even better housing and job opportunities to local residents, making places where people want to live and work to further improve their quality of life and wellbeing. This will include improving the way people move around by public transport, by bike, on foot and in private vehicles and making the most of the area's assets and opportunities such as its river valleys, and improving the built, natural and historic environment. "
- 9.7 Strategic Policy S10 of the Adopted Chelmsford Local Plan relates to Securing Infrastructure and Impact Mitigation states that Infrastructure must be provided in a timely and, where appropriate, phased manner to serve the occupants and users of the development and that infrastructure will be secured through the use of planning condition and/or planning obligation and/or financial contributions through the Community Infrastructure Levy or its successor.
- 9.8 In negotiating planning obligations, the Policy states that the Council will take into account local and strategic infrastructure needs and financial viability.
- 9.9 The reasoned justification (RJ) at paragraph 6.70 clarifies that for the purposes of this policy the widest reasonable definition of infrastructure and infrastructure providers will be applied. The term infrastructure can include any structure, building, system facility and/or provision required by an area for its social and/or economic function and/or wellbeing including (but not exclusively): footways, cycleways, bridleways and highways; public transport;

drainage, SuDs and flood protection; waste recycling facilities; education and childcare; healthcare; sports, leisure and recreation facilities; community and social facilities; cultural facilities, including public art; emergency services; green infrastructure; open space; affordable housing; live/work units and lifetime homes; broadband; and facilities for specific sections of the community such as youth or the elderly.

- 9.10 At paragraph 6.71, the RJ states that it should be recognised that infrastructure improvements may be provided in various ways...when infrastructure cannot be provided within, or is not appropriate to be located on, the development site itself, developers will be expected to make a contribution to the cost.
- 9.11 At paragraph 6.73, the RJ notes that some infrastructure providers will fund and deliver infrastructure themselves. Other infrastructure will be funded by developers and landowners, secured by planning obligations or the Community Infrastructure Levy (CIL) or its successor as part of the planning permission. Off-site provision will usually be secured by legal agreements and through other financial contributions.
- 9.12 At paragraph 6.74 the RJ states that the Council will work with infrastructure providers through the CIL and planning obligations to facilitate the timely provision of infrastructure needed to support development.
- 9.13 The Projects as they stand do not meet (EN-1) 4.3.4 which state ‘... the Applicant must ... show how any likely significant negative effects would be avoided, reduced, mitigated or compensated for, following the mitigation hierarchy.’ The policy has not been followed as there is no compensation offered for the residual negative landscape and visual effects of the overhead line and pylons, the harm to heritage, the loss of trees, effect upon the economy and local communities.
- 9.14 In 2019, CCC declared a Climate and Ecological Emergency to focus attention on reducing carbon and greenhouse gas emissions in the area and to plan for a more sustainable future. The Council's Climate and Ecological Emergency Action Plan includes undertaking a greening programme to significantly increase the amount of woodland and the proportion of tree cover in Chelmsford.
- 9.15 Policy DM17 of the Adopted Chelmsford Local Plan - states that planning permission will be granted for development proposals that do not result in unacceptable harm to natural landscape features that are important to the character and appearance of the area. Harm or loss of these features will not be permitted unless a landscape strategy, which would compensate for the loss of harm is secured or where there are overriding benefits arising from the development.
- 9.16 Policy DM13 of the Adopted Chelmsford Local Plan – Designated Heritage assets states that then impact of any development proposal on the significant of a designated heritage asset or its setting and the level of harm will be considered against the public benefits arising from the proposed development. Where there is substantial harm or total loss of significance of the designed heritage asset, consent will be refused unless it can be demonstrated that the substantial harm of loss is necessary to achieve substantial public benefits that outweigh that harm or loss.

## **Context**

- 9.17 As identified in the preceding paragraphs above, the Project would introduce vast incongruous features of industrial character into a rural landscape, which would have harmfully impact upon the landscape, historic environment and amenities of the communities within which they would sit. The pylons and overhead lines would be visually noticeable and prominent. Many of the effects cannot be mitigated against due to the height and scale of the Project and would be permanent.
- 9.18 CCC consider that reasonable compensation and benefits to the wider area including a Skills and Employment funds, environmental and landscape enhancement and funding for heritage should be provided.

## **Landscape**

- 9.19 On landscape, there is a clear planning policy justification to mitigate against the extensive loss of trees and hedgerows and the harm to the historic environment identified within this LIR above. Harmful effects on these features would be contrary to planning policy DM17 and the Vision for Chelmsford which as set out above, is clear on the need to improve the natural environment.
- 9.20 Other than replacement tree planting, Natural Grid have not proposed any additional funding for landscape. Environmental net gain has not been provided in relation to compensation for the residual adverse landscape and visual effects of the pylons and overhead line along its length. It is not considered that this proposed replacement / reinstatement planting and provision of BNG compensates for the proposed harm to the landscape.
- 9.21 The introduction of a comprehensive scheme of landscape enhancements, is considered both reasonable and necessary to migrate against the identified harm to Chelmsford, by improving the countryside and landscape, providing further opportunities for recreation, green infrastructure and use by communities.
- 9.22 It is considered that the DCO should not be granted without a substantial funded landscape and visual compensation scheme. This to recognise the long-term significant residual negative and un-mitigatable operational effects on both landscape and visual receptors. The scheme should be alongside but distinct from any proposed community benefits.

## **Replacement tree planting**

- 9.23 It has been confirmed by NGET that replacement planting will be provided on a 3:1 basis of trees to be removed within the Order Limits.
- 9.24 Whilst replacement tree planting is welcomed, it does little to compensate for the permanent significant adverse landscape effects caused by the construction of the pylons, overhead line and CSE's within the district and does not address any of the significant permanent adverse visual effects that will occur. It is not considered to be 'compensation' in Landscape and Visual Impact terms, judging it to be at best reinstatement for existing mature and semi-mature vegetation that is to be removed during construction.
- 9.25 In accordance with Policy DM17, and The Council's Climate and Ecological Emergency Action Plan includes undertaking a greening programme to significantly increase the amount of

woodland and the proportion of tree cover in Chelmsford. Policy DM17, sets out the need for an appropriate landscaping strategy to compensate for harm and loss of trees.

9.26 Subject to further negotiation, CCC consider there is clear planning policy justification for replacement tree planting and trusts that this can be secured by appropriate S106 or other legal agreement.

### **Heritage**

9.27 No funding proposed for heritage. Compensation should be provided to protect existing heritage features, providing opportunities to repair and restore features to ensure their longevity and conservation. This would be in accordance Policy DM13, where they would provide public benefit. Combined with landscape, there is potential to integrate these features, through additional planting restoration and landscaping at sensitive heritage hotspots such as The Walthams.

9.28 The Project would lead to construction impacts that would involve the considerable removal of trees, hedgerows and planting. Their removal would have a noticeable impact upon setting. Landscape screening has been discounted as a means of mitigation. In certain circumstances, screening is beneficial in reducing the harm caused by the intrusion of the pylons and associated works. This may include tree planting, hedge planting or infilling, reinstatement of historic field boundaries or woodland planting.

9.29 Additional planting and screening, in addition to the proposed replacement tree planting, should be secured.

### **Skills and Education**

9.30 At the time of writing, no funding is proposed to support skills and education. In relation to skills and education, there is a clear planning policy justification to support proposals that contribute towards skills, employment, education and the necessary infrastructure required to support them.

9.31 The Vision for Chelmsford as set out above, contains a clear economic push to attract inward investment for a wide range of businesses across our area and optimise the opportunities for new and upgraded infrastructure to provide better job opportunities to local residents.

9.32 The site is located within the countryside and forms part of the rural economy in accordance with Policy S7 of the adopted Chelmsford Local Plan. The proposal would optimise and upgrade infrastructure within Chelmsford by enabling electricity to be provided from renewable sources (Off shore wind). During construction, and operation, the proposal would create employment, education and training opportunities that could be utilised by local residents in accordance with the Vision.

9.33 During construction and thereafter, it is intended that a Local Skills and Employment Plan would be implemented, the purpose of which would be to promote employment and training opportunities associated with the proposal. In addition, a Skills and Education Contribution to enhance the effects arising from the temporary employment generation and mitigate against the lost opportunity in agricultural employment should be provided.

- 9.34 There is currently a deficit of local workforce within Chelmsford able to serve the needs of the renewable and electricity industry within construction, operation and decommissioning of the Project. A contribution towards skills and education would provide employment opportunities, education and training that would contribute to the creation of a sustainable, local workforce and would not encourage displacement or shortages in certain skills.
- 9.35 A skills and education contribution would facilitate the creation of opportunities to provide jobs to local people both during construction and operation and promoting education and skills training to raise education and awareness about renewable energy. Eventually, the skills and education training could provide a trained local workforce able to maintain the proposal locally.
- 9.36 A contribution would enable the proposal to promote opportunities for the development and diversification of skills, education and employment associated with renewable energy development on a site outside the urban area, thereby contributing towards the rural economy.
- 9.37 The training and development of the local workforce could not take place on site (the proposal is for electricity pylons and OHL with no educational/employment training facilities being provided), however, there is no reason why an offsite trained local workforce could not assist with the day to day running and management of the site.
- 9.38 Without a skills and education contribution, the proposal would not be able to support the diversification of the local economy and the associated strengthening of the training and education of the local workforce as required by Strategic Policy S7.

#### **Community Benefits and other compensation**

- 9.39 Although other community benefits do not form part of the statutory planning balance, they are a relevant consideration and should be appropriately addressed by the Applicant in line with published Government guidance. In this context, CCC considers that funding or other forms of community benefit should be directed towards Projects within Chelmsford that support and benefit communities directly affected by the proposals, particularly in light of the long-term impacts of the development.
- 9.40 CCC invites further discussion and information from the Applicant on how community benefits would be delivered and targeted locally.

## 10. Draft Development Consent Order

- 10.1 Applicants are encouraged to engage in discussions on draft documents ahead of submission, to resolve matters where possible. CCC recognises in line with Nationally Significant Infrastructure Projects: Advice for Local Authorities as published by Planning Inspectorate on 8 August 2024, (updated 16 December 2024), there is a responsibility on the local authority to “Consider the Applicant’s draft Development Consent Order (DCO), including requirements”.
- 10.2 Despite repeated attempts to engage with NGET regarding the content and form of the draft DCO, regrettably the details of the draft Development Consent Order were not shared with CCC in advance of the submission.
- 10.3 NGET offered CCC an opportunity to review some elements of the draft DCO ahead of submission, albeit noting that there were some omissions). CCC, working with Essex County Council (ECC), provided comments to the Applicant detailing a number of concerns. However, no feedback was offered by the Applicant on the comments provided. It appears from the Development Consent Order as submitted (APP-056) that many of the comments provided have not been taken into account, and no explanation has been offered.
- 10.4 While CCC will continue to engage with the Applicant regarding the dDCO, there continue to be a number of issues which require resolution before any order can be made.

### Article 2 “Control Documents”

- 10.5 The N2T DCO includes an “outline code of construction practice” but does not include a Construction Environmental Management Plan, Materials and Waste Management Plan. Clarity is required as to which documents will cover the scope of these matters, given their importance in managing the delivery phase of the scheme.

### Article 5 – Limits of Deviation

- 10.6 The Limits of Deviation (LoD) are set out on page 10 of the N2T DCO. These allow for longitudinal and lateral deviation (unrestricted) within the Order Limits, as well as vertical deviation. The N2T DCO proposes a vertical deviation of 6m. The explanatory memorandum sets out why flexibility across the scheme in its entirety is necessary to avoid the risk of the scheme becoming incapable of implementation due to unforeseen ground conditions or engineering considerations. This is accepted in principle by the CCC. Yet the LoD have potentially significant implications for landscape and visual impacts, heritage impacts and noise, as discussed in the relevant chapters of this LIR. CCC consider that a vertical deviation of 6m is too high and unjustified. This should be amended to a maximum of 4m high, to minimise environmental impacts.
- 10.7 In Great Waltham and Little Waltham, the Limits of Deviation make provision to increase the height of the lower height pylons TB140 – TB142 to full height pylons. The requirement, as currently worded, enables alteration to the height of these pylons, but is silent on the horizontal limits of deviation which are referred to in the works plans. Should this change be implemented, and full height pylons installed post consent, the requirement as it stands makes no reference to publicise the alteration and inform the Local Planning Authority and the host communities of the change.

10.8 An additional requirement or appropriate mechanism should be provided to enable consultation and notification of any alteration to the height and location of the lower height pylons.

10.9 The Limits of Deviation enable the movement of pylons along the Overhead Line without consultation. This is unacceptable as the movement could lead to increased and unacceptable harm. Affected receptors should be reassessed for any movement along the Overhead Line to ensure that they do not lead to harm.

### **Article 51 – Trees subject to Tree Preservation Orders (TPO)**

10.10 Due to the special importance of trees subject to TPO's, a definition of "near" is required for the avoidance of doubt. Additional wording should be added to the effect that advance notice of proposed works must be given to the Local Planning Authority and opportunity given for the planning authority to impose reasonable conditions (i.e. as to method of pruning/appropriate timing of tree work).

### **Schedule 3 (Requirements) General**

10.11 It is noted that several Requirements commonly included in other National Grid DCOs are absent, including provisions relating to artificial lighting, species-specific mitigation, residential amenity, construction compounds and noise and vibration controls.

10.12 CCC requests that the Examining Authority carefully consider whether additional Requirements are necessary (beyond what is requested within this LIR).

### **Schedule 3 (Requirements) Construction hours**

10.13 The draft requirements require further discussion both in terms of their scope, and current detail. This includes those relating to construction hours, piling and potential noisy works. CCC is seeking to ensure communities have appropriate periods of respite from noisy and invasive construction activities. CCC propose a requirement relating to working hours as follows:

"No construction works shall take place except between the following hours: 07:00 to 19:00 Monday to Friday, and 08:00 to 13:00 Saturday. No construction works shall take place at any time on Sunday or a Bank Holiday."

### **Schedule 3 (Requirements) Archaeology**

10.14 Archaeological mitigation measures are secured through proposed requirement 5 in the Draft DCO. Should the Project be granted based on the current levels of evaluation, any requirement should explicitly allow for a separate evaluation stage of archaeological work, before securing a detailed investigation stage as mitigation.

10.15 The Requirement wording for Archaeology (Requirement 5) (APP-056) does not currently take into account the post-consent programme of archaeological trenching required, or secure timescales for delivery of the Post-Excavation Assessments. It is suggested that article 5(4) is

replaced with the wording below and an additional point, 5(5), is included. This will give clarity for sign-off (our proposed condition 5(4)) and also provide reassurance of a robust mechanism for securing both the field and post-excavation works

“5 (4) Intrusive site preparation works must not take place until an archaeological or geoarchaeological written scheme(s) of investigation in accordance with the outline written scheme(s) of investigation as appropriate has been submitted to and approved by the discharging authority in consultation with Historic England. The archaeological or geoarchaeological written scheme(s) of investigation required under this sub-paragraph must be implemented as approved.

5 (5) Unless otherwise agreed with the local planning authority.

- (a) No later than one year following the completion of the fieldwork specified in each site-specific written scheme of investigation, a site-specific post excavation assessment (PXA) for that site must be completed in accordance with the Written Scheme of Investigation and submitted to the local planning authority for approval.
- (b) No later than one year following the approval of the final site-specific post excavation assessment, an archaeological updated Project design for all applicable sites, must be submitted to the local planning authority for approval. The archaeological updated Project design must be produced in general accordance with the detailed Written Scheme of Investigation for each stage, include details of the scope of post-excavation analysis and publication and have regard to the site-specific research agendas set out in the site-specific written schemes of investigation.
- (c) Post-excavation analysis and publication must be carried out in accordance with the approved archaeological updated Project design and provision made for the full archive to be submitted to the appropriate museum.

### **Schedule 3 (Requirements) Ecology**

10.16 A post-consent programme of ecological mitigation measures and a BNG delivery plan will both need to be secured through DCO Requirements. The strength of the DCO Requirements in ensuring the delivery of the mitigation measures and BNG plan will be critical to determining what ecological impact the Norwich to Tilbury Project ultimately renders (positive or negative) for Essex local authority districts.

10.17 It is particularly disappointing that NGET have failed to discuss the timescales and procedures in respect of the requirements at pre-application stage. CCC have local knowledge and practical experience of discharging these on other NSIPs.

10.18 While CCC acknowledges that the drafting of the DCO follows the structure and content of previously approved DCO's, drawing on from practical experience from their implementation and interaction with standard internal procedures, it is considered both necessary and sensible to recognise the value of local experience and knowledge, and move away from some precedents, where they facilitate the approval and implementation of the Project.

10.19 There are several parts of the draft DCO which remain of considerable concern and CCC would ask the ExA to carefully consider commentary in respect of the draft DCO and ensure appropriate consideration is given to the draft DCO through the Examination.

#### **Schedule 4 (Discharge of Requirements) – Paragraph 1**

- 10.20 CCC is particularly keen to ensure that the proposed ‘requirements’ are both workable, achievable and deliverable.
- 10.21 The N2T DCO as drafted only allows for 28 days for a decision to be made on a submitted requirement. The explanatory memorandum explains that the 28-day period is appropriate for a Project of this scale and size to ensure the timely delivery of the Project.
- 10.22 This is not acceptable to CCC. A 28-day period is insufficient to assess complex technical matters and cross-boundary issues. There are limited numbers of officers with detailed knowledge of the Project, and the cumulative effect of staff leave would render this timeframe even less achievable. The risk of deemed consent after 28 days could result in Requirements being refused or approved without sufficient time to fully assess or resolve outstanding issues.
- 10.23 Timeframes set out in the DCO must be sufficient for CCC to consider, engage with stakeholders and respond to such applications submitted to it, as well as affording Applicants time to feedback and respond to any further comments made. CCC consider that a minimum of 56 days is given to determine the Requirement.
- 10.24 It is noted that other Projects provide longer periods for the discharge of Requirements. For example, the National Grid Hinkley Point C Connection Project Order 2016 allowed 8 weeks for major applications and 5 weeks for minor applications; the Brechfa Forest Wind Farm Connection Order 2016 (PINS reference EN020016) allowed 8 weeks; and the Bramford to Twinstead NSIP (PINS reference EN020002) allowed 35 days and Longfield Solar Farm (PINS reference EN010118) 10 weeks.
- 10.25 Based on direct experience with the Longfield Solar Farm NSIP, while extensions of time are often agreed through good working relationships, the discharge of the requirements are best facilitated on a strong, collaborative working partnership with the Applicant.
- 10.26 CCC consider that 56 days (8 weeks) would be a reasonable period to facilitate the effective discharge of Requirements and requests that the time period for discharging Requirements is extended to 56 days, as opposed to the 28 days currently proposed.
- 10.27 CCC suggest considering the consistent use of business days rather than calendar days for calculating consent periods.

#### **Schedule 4 – Discharge of Requirements – Paragraph 2 & 3**

- 10.28 CCC considers that a longer period is required (a minimum of 15 business days) to enable consultees to determine whether further information is required in common with Longfield Solar Farm DCO.
- 10.29 Where the Council, as discharging authority, is required to consult third parties, an amendment should be made to require the Applicant to serve the relevant documentation on the relevant Requirement consultee at the same time as serving it on the Council. This approach is adopted to some extent within the Longfield Solar Farm DCO and enables more efficient use of time.

10.30 Paragraph 3 - the fee needs to be updated in line with latest planning fee guidance.

### **Other Matters**

10.31 For consistency within the dDCO, there are a number of definitions and drafting points to be addressed (such as the use of 'business day,' 'working day' and 'day' interchangeably).

### **Conclusion**

10.32 CCC does not consider that the DCO, as currently drafted, strikes an appropriate balance between flexibility for delivery and the need for proper environmental protection, transparency, and local authority control. CCC requests that the Examining Authority give careful consideration to the amendments sought throughout this LIR and, where necessary, recommend further changes to ensure that the DCO is clear, enforceable, consistent with established precedent, and capable of being implemented without unacceptable impacts on the environment or local communities

## 11. Conclusions

- 11.1 This Local Impact Report identifies CCC's main issues and impacts concerns about the Project and expands where appropriate, on the matters listed in CCC's Relevant Representation.
- 11.2 The principle of the development and the acceptability of the onshore route comprise the key Local Issue for Chelmsford City Council.
- 11.3 Chelmsford City Council (CCC) declared a Climate and Ecological Emergency (CEE) in 2019. CCC supports the transition towards a low or zero carbon economy to address the impact of climate change and improve sustainability. This includes renewable energy production where this can be appropriately located and suitably mitigated.
- 11.4 CCC recognises the rapidly growing need for electricity as the climate emergency requires us to help support the replacement of fossil fuels such as oil and gas as soon as possible. This does not mean however, that all Projects which may assist in reducing climate change should be approved at any cost.
- 11.5 CCC objects to the Norwich to Tilbury pylon Project. The objection is based on the following grounds:
- I) The preferred strategic option for Norwich to Tilbury remains an integrated offshore technology that minimises onshore transmission infrastructure and does not include overhead lines and pylons.
  - II) CCC recognises that this option would need to be delivered at pace and without risk to national net zero, renewable energy and decarbonisation targets, and energy security.
  - III) CCC consider that the presence of overhead lines and approximately 40m - 50m high pylons would be visually harmful and would result in unnecessary harm to heritage, landscape, ecology and residential amenity across the Chelmsford City Council administrative area.
- 11.6 CCC is supportive of well-developed, well-designed, and coordinated Projects that enable the goal of Net Zero and the interim targets, as set out in the revised National Policy Statements (NPS's). CCC consider this this cannot occur at the expense of Chelmsford's natural environment, landscapes and communities that would be affected by the Project.
- 11.7 CCC recognise the benefit Norwich to Tilbury would deliver by helping to reinforce the National Grid, thereby facilitating the UK Government meeting its renewable energy targets. CCC accepts that network reinforcement is needed to accommodate the expected growth in demand for electricity and the additional contracted / planned electricity generation in East Anglia.
- 11.8 CCC acknowledge that enhanced transmission infrastructure will play a central role in tackling climate change and in meeting Government targets in the lead up to net-zero by 2050. However, the shift towards the delivery of low carbon will only be successfully achieved if developments such as Norwich to Tilbury are permitted having first taken into account the very real impacts they would have upon the natural environment, landscapes and local communities that they would be sited within.

- 11.9 CCC recognise the timing for the Project is driven by the need for capacity in the transmission system by 2030. Yet it is CCC's view that such benefit should not and cannot be secured at the expense of Chelmsford's local communities, landscapes and environments that would be affected by the Project.
- 11.10 The Project would introduce vast incongruous features of industrial character into a rural landscape, which would harmfully impact upon the landscape and historic environment. The pylons and overhead lines would be visually noticeable and prominent. Many of the effects cannot be mitigated against due to the height and scale of the Project and would be permanent.
- 11.11 The Project would have a very clear detrimental impact upon the Chelmsford City Council administration area. CCC is extremely disappointed at the lack of appropriate mitigation and compensation proposed.
- 11.12 The Project, as inappropriate development, would by definition be harmful to the Green Belt. It would result in encroachment and moderate harm to the openness of the Green Belt in both visual and spatial terms. The very special circumstances put forward by NGET would need to be considered alongside any other identified harm arising from the scheme, acknowledging that the Project is inappropriate development.
- 11.13 The principle of development is unacceptable.
- 11.14 The Project would irreversibly destroy the unique and irreplaceable historic environment within Great Waltham and Little Waltham. Whilst some of the harm identified is at the low level, cumulatively there would be an extensive impact. The proposed mitigation proposed does not adequately limit the harm on the historic environment, the sensitive landscape, ecology and residents that reside within it. CCC object to the Project due to lack of sufficient mitigation and appropriate compensation.
- 11.15 The lower height pylons would reduce the extent of visibility from Grade I listed Langley's house and its immediate gardens. Yet the wider stance and heavier frame of the lower height pylons would have a greater visual presence in the context of the southern part of Great Waltham Conservation Area and the designated and non-designated heritage assets in this area. Cumulatively the greater harm to the other heritage assets and on landscape mean that the proposed mitigation strategy is inadequate.
- 11.16 The Limits of Deviation include flexibility for three of the low (c.40m) height pylons at TB140-TB142 to be increased in height by up to 18m to full height pylons. This flexibility offers the opportunity to reduce the three pylons to two full height pylons, moving TB141 further away from the edge of Great Waltham Conservation Area and the non-designated heritage asset Windmill House. The introduction of full height pylons and the omission of one pylon could potentially reduce the level of heritage harm and CCC request that the matter is explored further, with visualisations and plans provided for further assessment.
- 11.17 The ecological impact assessments have a heavy reliance on either the quality execution of surveys to be completed post DCO consent and/or the proper implementation of mitigation measures across a very large construction works area and throughout an extended construction period.

- 11.18 The ES chapter generally provides an appropriate assessment of likely impacts on the identified ecological receptors. This includes for both statutory and non-statutory designated sites, habitats, and protected and Priority species.
- 11.19 Of specific concern is the approach undertaken in respect of the tree bat roost surveys where additional survey work is required. Impacts on protected species need to be assessed with reasonable confidence and the proposed mitigation considered appropriate, prior to determination to support a lawful decision. The absence of effective post-mitigation licence monitoring makes it highly uncertain to reasonably anticipate when a mitigation Project is likely to succeed.
- 11.20 NGET have proposed a Biodiversity Net Gain scheme. Details remain unresolved regarding where off-site habitat creation would be sited and whom would be responsible for management and monitoring and need to be resolved.
- 11.21 The proposed loss to trees and woodland has not been appropriately justified or mitigated. A draft Arboricultural Method Statement should be produced to demonstrate what mitigation is required to appropriately protect retained trees. Appropriate arboricultural justification for any losses and/or impacts would need to be compensated for. Direct and indirect impacts that would lead to damage or loss of ancient woodland habitat or veteran trees must be avoided. There is no appropriate mitigation for the loss of irreplaceable habitats.
- 11.22 Visually, the siting of pylons close to residential properties would have a harmful and unacceptable impact upon the occupant's amenities, both visually and spatially, where the pylons would have an overbearing and dominant impact upon the properties. It is noted that a number of properties are sited less than 200 metres away from the proposed pylons and overhead lines and would be noticeable and potentially overbearing.
- 11.23 In wellbeing terms, the proposed hours of construction: 07:00 to 19:00 Monday – Fridays and 07:00 am to 17:00 over weekends/holiday raise concern due to the lack of respite from noise for residents. These hours of working are not accepted by CCC.
- 11.24 The ES concludes that no additional mitigation is required beyond embedded measures and proposes no health and wellbeing monitoring. Given the scale and duration of construction and the socio-economic characteristics of affected communities, CCC recommends consideration of establishing of a Health and Wellbeing Monitoring Framework to promote best practice. This Framework should include baseline data on active travel, access to green space, amenity satisfaction and mental wellbeing; define clear indicators and reporting intervals; and be co-developed with local communities.
- 11.25 CCC has a rich cultural heritage. Generally, the detailed heritage assessment work and the clear and concise way that it is presented within the supporting evidence is welcomed. All relevant designated heritage assets within the 2km and 3km zones are identified. The methodology for assessment is supported.
- 11.26 In spite of this, the Project underestimates the impacts on many designated heritage assets, with additional impacts identified by CCC. There are areas with permanent significant impacts are identified at Balls Farm, Great Waltham (1305428), Langleys Registered Park and Garden, (1000241), Southwoods Farm, Writtle (1237420 and 1237421), Margaretting Hall (1152104), the Church of St Mary, Stock (listed grade II\*, 1264434) and White's Tyrrells Farmhouse, Stock (1236733). No additional mitigation is proposed, but it is essential.

- 11.27 The greatest impacts are at the section of route between Little Waltham and Great Waltham, near to Langleys and its Registered Park and Garden, where the harm to the Great Waltham and Little Waltham Conservation Areas is underestimated, resulting in moderate effects, which are significant.
- 11.28 The additional harm identified, together with the other harms mean that there would be a considerable impact on the historic environment which should be fully considered and are matters of great weight and importance.
- 11.29 The Project would lead to construction impacts that would involve the considerable removal of trees, hedgerows and planting. Their removal would have a noticeable impact upon setting. Whilst in theory, replacement mitigation replanting could limit this impact, in practice, it would take many years to mature to a level where the pre-existing conditions would be reinstated. The effect would not be experienced by residents within the area as a temporary loss of planting. Maintenance and operation corridors would also involve considerable removal trees, hedgerows and vegetation permanently. The low height pylons to the Great Waltham/Little Waltham gap would need to be wider than the standard height pylons.
- 11.30 Landscape screening has been discounted as a means of mitigation. In certain circumstances, screening is beneficial in reducing the harm caused by the intrusion of the pylons and associated works. This may include tree planting, hedge planting or infilling, reinstatement of historic field boundaries or woodland planting. Where mitigation involves replacement of vegetation, hedgerows, walls and earthworks this should be consultation with the LPA on the detail for these works.
- 11.31 The mitigation proposed is wholly inadequate.
- 11.32 The application is supported by a suitable level of archaeological desk-based research. Despite the adequacy of desk-based research, the level of information submitted with the application fails to provide sufficient information on the nature, extent and significance of heritage assets in order to determine the impact on archaeological remains by the proposed scheme. The archaeological potential of the proposed scheme area is not understood to the required level, and previously unknown archaeological remains may be present within the proposed scheme area. A high percentage of the land within the scheme remains under investigated and therefore the risk of encountering high value heritage assets remains a significant risk.
- 11.33 The development would potentially result in a direct permanent and harmful change to a range of non-designated heritage assets. This would be a significant effect. Further information and documents are required to establish an appropriate programme of evaluation and mitigation for archaeology and geoarchaeology. This information is necessary to fully inform the decision-making process, and the planning balance as set out in the relevant policies.
- 11.34 The Project would introduce predominantly 50 metre high lattice pylons and associated infrastructure into an undeveloped, rural landscape where intervisibility can be quite high due to the large-scale flat or gently undulating landscapes or where the scale of the pylons and overhead wires means the effect is an industrialisation of the countryside.

- 11.35 In respect of the approach to the Landscape and Visual Impact Assessment (LVIA), CCC has concerns regarding several aspects of the methodology, particularly in the approach to landscape value and value of the view, as well as a downplaying of the significance of impacts.
- 11.36 The Project would lead to a harmful change in the identified character and appearance of the landscape, which would lead to a change in the character and quality of the landscape. It would lead to harmful visual intrusion, through the siting of high large-scale industrialised features that cannot be fully mitigated against. The Project would lead to the harmful loss of the character and beauty of the countryside.
- 11.37 The Projects would have a significant negative landscape impact at both construction and operational stages over the length of the Project. Where negative effects are judged not to be significant further away from the Project line, the visual character of the landscape and its perceptual nature is likely to combine to significantly negatively affect the landscape over a wide area, reducing scenic beauty and tranquillity, aesthetic enjoyment, a sense of place, history and identity, and inspiration for learning throughout the landscape and visual study area.
- 11.38 The Project would have a significant negative visual impact over the length of the Project. As a result of open landscapes, multiple pylons in view and cumulative effects when passing from one visual receptor area to another along the line, it is considered the cumulative effect is likely to result in an overall significant adverse effect generally within the study area at both construction and operation.
- 11.39 There does not appear to be any compensation offered in relation to the significant residual adverse landscape and visual effects created by the pylons and overhead line along its length. The DCO should not be granted without a substantial funded landscape and visual compensation scheme. This to recognise the long-term significant residual negative and unmitigatable operational effects on both landscape and visual receptors. The scheme should be alongside but distinct from any proposed community benefits.
- 11.40 Replacement planting will be provided on a 3:1 basis of trees to be removed within the Order Limits. Environmental net gain has not been provided in relation to compensation for the residual adverse landscape and visual effects of the pylons and overhead line along its length. It is not considered that this proposed replacement / reinstatement planting and provision of BNG compensates for the proposed harm to the landscape. Whilst replacement tree planting is welcomed, it does little to compensate for the permanent significant adverse landscape effects caused by the construction of the pylons, overhead line and CSE's and does not address any of the significant permanent adverse visual effects that would occur.
- 11.41 The proposed working hours raise concern due to their extended nature, in particular at weekends and bank holidays. In Chelmsford normal working hours are 08:00 to 13:00 on Saturdays, with no working on Sundays or bank holidays. The proposed hours of 07:00 to 19:00 and 07:00 - 17:00 over the weekend/holiday is a significant increase and raises concern due to the lack of respite from noise for residents. These hours of working are not accepted.
- 11.42 It is essential that NGET genuinely engages with the local communities. It is important to stress that long working hours can have significant adverse effects on people's health and wellbeing. The proposed construction hours are unacceptable.

- 11.43 There is scope to develop a skills and employment plan and skills fund. Harmful socio-economic and recreational impacts of the Project must be avoided, including the cumulative impacts of construction.
- 11.44 The construction effects would be particularly noticeable around Margaretting and Writtle, whose communities experience a high number of events including national events hosted at Hylands House. Detrimental effects on access to events and local businesses, however temporary, would be unacceptable.
- 11.45 Regard would need to be had to the impact of the Project upon recreation and tourism, through ensuring that Chelmsford's valued rural landscape remains open and accessible. There is concern regarding the inclusion of Sunday and bank holidays to the core working hours in relation to socio-economic industry and enjoyment of the countryside. The proposed working hours raise concern due to their extended nature, in particular at weekends and bank holidays where residents and users of the countryside would ordinarily expect respite from operations during the weekend.
- 11.46 The Project would harmfully impact upon the local highway network and Public Rights of Way (PRoW). The effects would be particularly noticeable during the construction of the development and from the on-going maintenance and operation of the pylons, overhead lines and associated equipment.
- 11.47 The construction of the development would give rise to a wide range of public health impacts, resulting in harm to the local communities that the Project would sit. Matters including construction routes, hours of operation, the formation of vehicular accesses, traffic management and associated safety operations would need to be fully considered and mitigated as part of the Projects, with appropriate mitigation provided.
- 11.48 Impacts upon the local highway network and Public Rights of Way (PRoW), must be appropriately mitigated and compensated for.
- 11.49 The Project would lead to the loss of BMV land is significant and weighs against the Project as National and Local Planning policies seek to protect this finite resource.
- 11.50 There are several developments within the area that may be affected by the Project. These include, but are not limited to, the Longfield Solar Farm Development Consent Order – new solar array creating 500 MW of energy, the Countryside zest (Beaulieu Park) LLP – Garden Community and the Lower Thames Crossing Nationally Significant Infrastructure Project (NSIP). The greatest effects would be felt during the construction of the development.
- 11.51 The Project has potential to give rise to intra-Project cumulative effects, and these will need to be considered for all receptors, especially with regard to agriculture and soil, ecology and historic receptors which have not been considered further. Other receptors include ecology, highways, landscape and visual and noise.
- 11.52 There is particular concern regarding the cumulative noise and construction impacts arising from these developments. Cumulatively taken all together the Project has potential to lead to significant adverse effects. It is crucial that residents get regular breaks, and the proposed development is well managed, controlled and integrated within existing permitted development schemes. Reasonable hours of work and good construction traffic management are one of the key measures to reduce impact.

- 11.53 The application is silent on community benefits and compensation. The Project would have clear and extensive residual impacts arising that would adversely affect the local economy and environment, as well as the health and wellbeing of communities in Chelmsford, and which cannot be sufficiently mitigated or compensated through the planning regime. It is contended that while the Norwich to Tilbury Project would deliver significant benefits at a national level, this would not offset the harm at the local level. This is unacceptable and an objection is raised to the lack of appropriate mitigation and compensation.
- 11.54 The Project would introduce vast incongruous features of industrial character into a rural landscape, which would have harmful impact upon the landscape, historic environment and amenities of the communities within which they would sit. The pylons and overhead lines would be visually noticeable and prominent. Many of the effects cannot be mitigated against due to the height and scale of the Project and would be permanent.
- 11.55 Reasonable compensation and benefits to the wider area including a Community Benefit Fund, Skills and Employment funds, environmental and landscape enhancement and funding for heritage should be provided. Although separate to planning, affected residents should be appropriately compensated.
- 11.56 Should the Development Consent Order be granted, refinement and amendment of the draft Development Consent Order is needed, especially with regard to the deliverability of Requirements.
- 11.57 CCC continues to productively and constructively engage with (NGET) to secure the best possible outcomes for the local community and environment, including acceptable mitigation and compensation for all impacts; should the application for the Development Consent Order be granted by the Secretary of State.
- 11.58 In closing, CCC request that the Examining Authority give substantial weight to this Local Impact Report when assessing the planning balance and determining whether the adverse impacts of the scheme have been adequately avoided, minimised and controlled, and whether the public benefits are sufficient to outweigh the identified harm that the proposal would have on Chelmsford and its environs and communities which reside within it.

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**Application by National Grid Electricity Transmission (NGET) for a  
Development Consent Order (DCO) for the proposed Norwich to Tilbury  
Project (Application Reference: EN020027)**

**Chelmsford City Council Host Authority reference** [REDACTED]

**Addendum to Local Impact Report**

**26<sup>th</sup> February 2026**

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## **Introduction**

- 1.1 This Addendum has been prepared to supplement the Final Local Impact Report (LIR) submitted by Chelmsford City Council to the Planning Inspectorate in respect of the Norwich to Tilbury pylon proposal.
- 1.2 The Draft Local Impact Report was considered at Policy Board on 15<sup>th</sup> January 2026 where Members agreed at Recommendation one, to recommend that the Director of Sustainable Communities in consultation with the Cabinet Member for a Greener Chelmsford finalise the Local Impact Report to enable its submission to the Planning Inspectorate by the submission date.
- 1.3 The Local Impact Report was finalised by the Director of Sustainable Communities on 18<sup>th</sup> February 2026 and the Cabinet Member for a Greener Chelmsford on 19<sup>th</sup> February 2026.
- 1.4 Since the finalisation of the Local Impact Report, Essex County Council archaeology has amended their comments relating to archaeology and the Historic Environment.
- 1.5 Additional comments are also raised in respect of the impacts of the proposal upon Anglia Ruskin University, Cow Watering Campus, Writtle.

## Summary of Revisions

2.1 The proposed revisions are set out in the following table for clarity.

Paragraph	Final Local Impact Report	Addendum to Local Impact Report
Paragraphs 8.237, 8.238 and 8.239 - National Policy Statement - EN-1 –	The FLIR omitted to refer to trial trenching	The ALIR has been amended to refer to trial trenching An update has been provided in respect of the geophysical survey areas
Paragraph 8.241 of the Local Impact Report - Relevant sections of the Environmental Statement –		The relevant sections of the Environmental Statement have been updated.
Level of harm - paragraph 8.242 of the Local Impact Report.		The level of harm has been updated.
Paragraph 8.243 of the Local Impact Report – reference numbers	11.4.23 (APP- 208) and 11.4.33 (APP-208).	Updated to refer to 11.4.23 (AS-069) and details of the footprint of the works 11.4.33 (AS-069),
Paragraph 8.248 – desk based research	11.4.2 (APP-208)	Updated to refer to 11.4.2 (AS-069).
Paragraph 8.249 – Geophysical survey and archaeological trial trenching		It is updated that the first stage of geophysical survey for Priority Areas is largely complete. The reference number has been updated to refer to (AS-069 Section 11.4.32). It is clarified that the means for assessing potential for further archaeological remains is through field evaluation.
Paragraph 8.250 and 8.251 – level of information		The level of information is updated to refer to additionally refer to field evaluations The reasoning for this statement has been updated, to explain that the level of information is insufficient due to factors such as incomplete coverage of the non-Priority geophysical survey and trial trench evaluation across the scheme, lack of intrusive

		investigation to allow corroboration of the geophysical survey and cropmark data, and lack of full reporting on the trial trench evaluations that have been completed.
Level of field elevation – section F Chelmsford		<p>An additional update has been provided to refer to the level of field evaluation completed within section F, Chelmsford.</p> <p>Five of the six proposed Priority geophysical surveys have been completed within Section F. Possible new archaeological features have been identified within the surveys. Nine further Phase 2 geophysical surveys have been completed which has identified further archaeological remains including a circular enclosure near to a site of a possible Roman temple recorded on the HER. One site has been subject to trial trenching which revealed sparse archaeological remains previously identified as cropmark features.</p>
Paragraph 8.253 – Archaeological potential		The section has been amended to refer to additional trial trenching and geophysical surveys that have been completed since the initial submission the application
Paragraph 8.253 – EIA methodology	(APP-208)	The reference number has been updated to (APP-135).
Paragraph 8.257 - Mitigation 2.2	11.8.1 (APP-208)	The reference number has been updated to section 11.8.1 (AS-069).
Paragraph 8.159 – Health and Wellbeing		The paragraph has been amended to include reference refer to the Cow Watering Campus, Cow Watering Lane Writtle.

Paragraph 8.464 – Noise and Vibration		The paragraph has been amended to include reference refer to the Cow Watering Campus, Cow Watering Lane Writtle.
Paragraph 8.490 Effects on receptors		The paragraph has been amended to require that effects on Anglia Ruskin University Sturgeons Farm and College Cow Watering Campus should also be considered.
Writtle College		New paragraph 8.490a added
Paragraph 11.44		The paragraph has been amended to include reference to Anglia Ruskin University Sturgeons Farm and College Cow Watering Campus, where the Project should not harmfully impact upon the operation and function of the Equine Unit; which is both a Further Education (FE) and Higher Education (HE) teaching facility.

## Revised proposals

3.1 The changes to the application reference numbers are not repeated here.

### Archaeology

3.2 The commentary to the archaeological section as set out in the Final Local Impact Report has been amended to include the following.

#### National Policy Statement EN-1 - Geophysical survey and trial trenching

3.3 In relation to geophysical survey and trial trenching as stated within paragraph 8.237 of the LIR, by way of update, it is clarified that a programme of geophysical survey and trial trench evaluation was agreed with the identification of Priority Areas and non-Priority Areas. Priority areas were defined based on reduced design flexibility, construction methodology, and the associated extent of archaeological impact likely to result from their construction.

3.4 By way of update, geophysical survey of Priority Areas is near complete while trial trenching for Priority Areas is currently ongoing though near completion. Yet as stated within the Local Impact Report, the full results of the trial trench evaluations will not be available with time to review prior to determination of the application. A number of the trial trench reports submitted are interim only and do not include full assessment of the archaeological remains.

3.5 As concluded at paragraph 8.239 of the LIR, the application fails to include sufficient evidence from the field evaluations carried out within Essex to support the baseline data across the scheme. The Applicant has failed to fully comply with the policy set out in paragraph 5.9.11 with

regards to archaeology and geoarchaeology and National Planning Policy Framework (NPPF) Paragraph 207 (2024).

### **Relevant sections of the Environmental Statement**

3.6 In relation to the Applicant's assessment of the impacts of the project on the historic environment as stated in paragraph 8.241 of the Local Impact Report, the assessment has been provided taking account of all proposed mitigation measures. The overall approach to mitigating the negative effects of the development is set out in document 6.5 Environmental Statement Chapter 5 - EIA Approach and Method (Final Issue A) (APP-135) of the submission. Mitigation has been split into three types by the Applicant in relation to heritage assets: embedded, standard and additional. Descriptions of these are outlined on pages 118-121 of document 6.11 Environmental Statement Chapter 11- Historic Environment (Final Issue B) (AS-069).

3.7 It is noted that NGET's assessment of Impacts in respect of Designated and non-designated heritage assets are presented in Environmental Statement (ES) Chapter 11. Historic Environment (AS-068 Revision B) and supported by a number of assessments including; Historic Environment Baseline Report (Final Issue A)(APP-209), Historic Environment Assessment Tables (Final Issue B)(AS-070), EACN Substation Geophysical Survey Report (Final Issue A)(APP-211)), Geophysical Survey Results Reports (APP-212, AS-072, AS-072, AS-074, AS-076), Trial Trenching Results Reports (APP-213 and AS-078), and Geoarchaeological Monitoring of Ground Investigation Works Report (Final Issue A)(APP-214)).

3.8 These are supplemented by Figures; Historic Environment Study Area (Final Issue A)(APP-216-6.11.F1 ES Figure 11.1), Designated Heritage Assets Assessed in the ES Chapter (AS- 080), Non-Designated Heritage Assets Assessed in the ES Chapter (Final Issue A)(AS-081), Phase 1 and 2 Geophysical Survey Areas and Archaeological Trial Trenching Priority Areas (Final Issue B) (AS-082) and Phase 2 Geophysical Survey Preliminary Results (AS-083).

### **Level of harm**

3.9 As stated within paragraph 8.242 of the LIR, in relation to the level of harm it is maintained that the level of impact upon non-designated heritage assets, specifically archaeological remains, set out in document AS-079: 6.11.A2 Environmental Statement Appendix 11.2 - Historic Environment Assessment Tables (Final Issue B) cannot be fully agreed until further assessment on archaeological and geoarchaeological remains is completed and the information made available for review.

### **Geophysical survey and archaeological trial trenching**

3.10 As stated within Paragraph 8.249 of the Local Impact Report, Geophysical survey and archaeological trial trenching are currently ongoing. It is updated that the first stage of geophysical survey for Priority Areas is largely complete. The ES chapter concludes that "the historic environment baseline presents a reasonable basis for assessment, but further information is forthcoming." The reference number has been updated to refer to(AS-069 Section 11.4.32). It is clarified that the means for assessing potential for further archaeological remains is through field evaluation.

### **Level of information**

3.11 In paragraphs 8.250 and 8.251 of the Local Impact Report, the level of information is updated to refer to additionally refer to field evaluations. It is considered that despite the adequacy of desk-based research and ongoing field evaluations, the level of information submitted with the application fails to provide sufficient information on the nature, extent and significance of heritage assets in order to determine the impact on archaeological remains by the proposed scheme.

3.12 The reasoning for this statement has been updated, to explain that the level of information is insufficient due to factors such as incomplete coverage of the non-Priority geophysical survey and trial trench evaluation across the scheme, lack of intrusive investigation to allow corroboration of the geophysical survey and cropmark data, and lack of full reporting on the trial trench evaluations that have been completed.

### **Section F Chelmsford**

3.13 An additional update has been provided to refer to the level of field evaluation completed within section F, Chelmsford.

3.14 Five of the six proposed Priority geophysical surveys have been completed within Section F. Possible new archaeological features have been identified within the surveys. Nine further Phase 2 geophysical surveys have been completed which has identified further archaeological remains including a circular enclosure near to a site of a possible Roman temple recorded on the HER. One site has been subject to trial trenching which revealed sparse archaeological remains previously identified as cropmark features.

### **Archaeological potential**

3.15 In relation to the archaeological potential of the proposal, Paragraph 8.253 of the Local Impact Report, it is now considered that with the additional trial trenching and geophysical surveys completed since the initial submission the application has provided a suitable amount of supporting information for parts of the scheme. While there appears to be some corroboration between the geophysical results and the features identified during trial trenching the reliability of the geophysical survey to detect archaeological features has been demonstrated to be inconsistent. The geophysical survey report (APP-211) suggests the likely poor magnetic contrast is due to the sandy nature of soils accounting for apparent lack of visibility. In addition, there are archaeological features that are of a nature and scale that are difficult to detect through geophysical survey and aerial photographic assessment. These include features such as cremations, small pits, graves and post holes which could represent sites of high significance.

3.16 Due to incomplete evaluation of the scheme through intrusive methods and the limitations of the non-intrusive methods employed the archaeological potential of the proposed scheme is not fully understood to the required level, and previously unknown archaeological remains are likely to be present within the proposed scheme area. The risk of encountering high value heritage assets remains a significant risk.

### **Socio Economics, Recreation and Tourism**

3.17 In relation to Anglia Ruskin University, Writtle College Cow Watering Campus, a new paragraphs 8.490a – f are created. Chelmsford City Council is further concerned that the Project would harmfully impact upon the operation and function of the Equine Unit; which is both a

Further Education (FE) and Higher Education (HE) teaching facility, at Cow Watering Lane, Writtle, in respect of both permanent operational and construction effects leading to economic harm to the operation of the site.

- 3.18 The proposed construction access route would extend through the site, severing the operation of the Campus, affecting access and parking provision and would likely cause disruption to neighbouring teaching rooms, stabling blocks and menage. The Project would likely impact upon health and safety, increased noise pollution and increased traffic along the highway network.
- 3.19 The highway feasibility and highway safety implications of the proposed construction route through the Campus need to be assessed to ensure that the proposed access route through the Campus is acceptable in highway terms.
- 3.20 The proposed Overhead lines would be sited directly above horse grazing areas, making them unusable during and after construction, leading to loss and usability of the fields and associated indirect impacts upon horses. Whilst effects may be temporary, it is understood that reinstated groundworks could over a year to become equine-safe.
- 3.21 The Project has potential to affect the function and operation the site, leading to the loss of practical learning with associated impacts and cause detrimental harm to staff, students and animals by reason of increased noise and vibration. Separately and unrelated to planning there may also be safeguarding issues.
- 3.22 It is considered that the Overhead line route should be resited to the north of the Campus to avoid grazing paddocks and equine facilities and construction access provided elsewhere; to a new location that does not extend across the University Campus grounds, with associated effects considered and mitigated as appropriate.

## Conclusions

- 3.23 Paragraph 11.44 of the conclusions to the LIR states that the construction effects would be particularly noticeable around Margaretting and Writtle, whose communities experience a high number of events including national events hosted at Hylands House. Detrimental effects on access to events and local businesses, however temporary, would be unacceptable. The paragraph has been amended to conclude that the Project should not harmfully impact upon the operation and function of the Equine Unit at the Anglia Ruskin University Sturgeons Farm and College Cow Watering Campus, which is both a Further Education (FE) and Higher Education (HE) teaching facility.

## Conclusion

- 4.1 This Addendum to the Local Impact Report has been prepared to supplement the Final Local Impact Report. CCC request that the Examining Authority give substantial weight to this Addendum.

4.2 The proposed amendments supplement the findings and conclusions of Chelmsford City Council as set out in the Final Local Impact Report and comprise minor revisions / matters of clarity as set out above.