

00:00:04:29 - 00:00:21:24

Okay. Thank you. Ladies and gentlemen. It's now 1135 and the hearing is resumed. Um, first, if I could go to the applicant, as promised for any response you wish to make today what you heard from the various councils online. And, uh, Mr. Burns, most of this.

00:00:21:26 - 00:01:06:20

Will do in writing, um, in relation to Essex and Mr. Point. Uh, n1 says compensated as far as possible. You've already got my submissions earlier that that includes as far as legally possible, and I don't restate the main argument in relation to that, but it must also mean as far as also it is consistent with the tests for conditions or 106 obligations which apply to this act by reason of section 120. So the question will be whether the offsetting contained in any section 106 or other mechanism is actually necessary to the grant of permission, and the courts have said that means without which the planning permission or the DCO should not be granted.

00:01:06:25 - 00:01:52:14

So it has to be as far as possible, includes as far as legally possible, including that test. The next test is truly related to the development in circumstances where Mr. Bedford accepts there is no further practical mitigation. This will be a matter of judgment in the circumstances. But for example, um, planting in Scotland would not be, uh, directly related to the development. So then you get into a matter of judgment and would planting anywhere in the relevant borough be sufficient? We say not all of which points to the fact that if this really, truly was part of the test, that the N5 would give some guidance as to this.

00:01:52:16 - 00:02:24:18

And it doesn't because it's not. But if it is and I'm wrong on that, then for each of the relevant positions in the section 106 agreement, the Secretary State would have to ask him or herself is it necessary? Is it truly related to the development? And finally, is it proportional and proportionality would also include, uh, the consequential um and precedential element of this because it would apply to other projects. So I take what you say about this being a very large one, of course, but the principle would apply.

00:02:24:20 - 00:02:56:29

You'd also have to have regard to the duties of the developer as a statutory undertaker and schedule nine and economics and those sorts of things and public interest in the round. So all of those things would need to be taken into account. So that's what we say about, um, Essex. Um, the other is I think we'll deal with in writing, save this one. Weber made the very important point that there's only six and a half weeks to go. What happens if we run out of time? Um, well, two things could arise there.

00:02:57:01 - 00:03:30:09

We will engage with the local authorities as intensively as possible. If we can't get a multilateral. Um, section 106, then we will put as many of the provisions of a multilateral as have been agreed and others down to our judgment, into a unilateral and or adopt learned friends position that we have the potential for a requirement, um, which, uh, requires the submission of a scheme which then can be considered and determined at greater leisure.

00:03:30:15 - 00:03:34:09

But there are practical ways through this, and we are taking it seriously.

00:03:35:29 - 00:03:49:25

Thank you. That was going to be my next question, actually. What doesn't that happened? Um, Mr. Bedford or any other council? Is there anything you want to raise about that in terms of the question? Just a question of what happens in, you know, if we don't get there in six and a half weeks?

00:03:50:07 - 00:03:52:25

Uh, sir. No, there is, I.

00:03:52:27 - 00:04:23:11

Think, um, what? Mr.. Sorry. Michael. Bedford. Suffolk county council. I think what Mr. Harris has said identifies the options. There are tools there available to us. All parties are conscious of the time limits and we will all be working, I think, to come up with something that's practical to you by the end of the examination out of those tools, so, so completely separately, there is a procedural point I would quite like to just raise as a question for you.

00:04:23:19 - 00:04:38:20

Um, I didn't, I'm afraid, raise it at the outset because I hadn't spoken to enough people to know whether it was even a possibility, and I couldn't raise it at the beginning of this resumption because we launched into that. But at some point, I'd just like to raise a timetabling point where it's convenient to you.

00:04:42:11 - 00:04:49:29

Hey. Thank you. What does it need to be today or. Um, yes. Yes. Okay. Thank you.

00:04:52:17 - 00:04:55:18

We can do it at the end of the morning, if that's convenient to you. Okay.

00:04:56:02 - 00:04:58:17

Yes. Well, yeah, we'll do that. Thank you.

00:05:04:06 - 00:05:06:25

And do remind me if I don't come back to it. Thank you.

00:05:18:29 - 00:05:36:02

Okay. Thank you. So if we could, um. Many of my questions on the actual master plans have been superseded now by what I've just heard. So I can give it a, um. But I wondered if, um, we could put up on the screen an example of one of the master plans. Um, I suggested Waveney Valley previously.

00:05:50:17 - 00:05:51:12

She's coming.

00:05:55:28 - 00:05:56:21

Thank you.

00:06:00:20 - 00:06:27:14

Um, and it's just a question. Um, the obviously, these opportunities plans for the various different areas outlined, um, show potential opportunities to these. Where did these come from? In essence, were there, uh, uh, discussions between the two parties? Were they all put forward by the council's or was there, um, any part from the applicant in, you know, suggesting these options?

00:06:27:22 - 00:06:37:28

I think they. Russell Harris KC for the applicant, I think they largely originated with Mr. Miller, who then discussed them and amended them with the local authorities input.

00:06:39:09 - 00:06:40:00

Thank you.

00:06:49:19 - 00:06:57:17

Russell Harris KC for the applicant. And I should say, um, they vary from local authority to local authority because some local authorities have had more input than others.

00:07:00:14 - 00:07:02:13

Yeah. Okay. Thanks.

00:07:05:15 - 00:07:08:12

I've seen your hand, Mr. McLemore. I'll come to you shortly. Thank you.

00:07:20:24 - 00:07:54:24

So I know in the introduction to the master plans, um, that you state that the opportunity to identified our potential enhancement measures are not mitigation and can obviously, we've been through this point a few times, and the potential enhancement opportunities identified, if implemented, would not materially change the environmental statement, assessment of landscaping and visual effects, and that the draft plans are illustrative in nature and should not be taken as indicating agreement by the applicant that additional landscape or visual compensation is required, justified by policy or necessary to make the development acceptable in planning terms.

00:07:54:26 - 00:08:24:09

Obviously, we've been through all that already, but I just want to ask. Well, it's accepted that the enhancement opportunities may not significantly affect visual harm potentially created by the proposed development. The mere fact of improving the local landscape, the landscape local to this um, scheme could potentially create local landscape benefit and therefore at local landscape level, would have a positive effect on that landscape. Is that fair?

00:08:25:24 - 00:08:40:10

Russell Harris KC for the applicant, I think put in that context alone, yes it's fair. Um, the I'm not going to raise the questions because you you properly preface the question with the understanding of our case. So I don't need to say that.

00:08:43:20 - 00:08:48:29

Thank you. Um, did councils wish to say anything on that point?

00:08:51:09 - 00:09:21:06

Sir Michael Bedford, Suffolk County Council only to make the point that certainly, as we see it, the fact that something is an enhancement doesn't mean it cannot be compensation and or offsetting. The two can march together. Not all, um, enhancements would be compensation or offsetting, but enhancement is one type of compensating or offsetting for an impact that you can't directly mitigate, reduce, or avoid.

00:09:22:22 - 00:09:31:10

Thank you. Yes. Understood. Um, that was all the questions that I had on the master planned. Did, um, did the council's wish to raise any more points on them.

00:09:32:29 - 00:09:53:14

Sir? Uh, no, thank you, sir. Michael Bedford, Suffolk County Council I think we're very content to continue the dialogue with the applicant to work up, um, making these more meaningful so that they are a series of deliverable measures that can therefore be incorporated in one way or the other into the controls of the DCA.

00:09:53:26 - 00:10:07:14

Thank you. Um, is there any comments that any other interested parties wish to make? I'm aware of you, Mr. McLean. Um, now, if we could get a roving mic, please, to Mr. McLean. Thank you.

00:10:18:22 - 00:11:02:00

Hello. Charlie McLean from the Langley's estate. Um, I don't know if they can put up the, uh, image of the Great Waltham one for the master plan, but it for the draft opportunities. But it amazes me. National grid is coming up with this project, this plan, without actually talking to the landowners. We're the ones that know this landscape. We're the ones that can help mitigate stuff. One of their examples of the opportunities for tree and hedgerow planting. They have put a 600 meter long stretch of the road there. Currently, 50m doesn't have any hedgerow, and the hedgerow they can probably replace is the ones they're going to cut down to create the mouse that looks very good on a map but is not really valid.

00:11:02:05 - 00:11:35:04

Another one they're trying to cut. They're cutting my field in half of a pylon, and now they want to cut it into quarters with hedgerows. It's not suitable for farming. It's more stress for us. If National Grid come and talk to landowners we can help them rather than just talking to councils like we. We've lived on this land. We've passed it through by ancestors. We're the ones helping the environment. Are they. Are they

ones for the, um, water enhancement? Is that going to stop me growing cricket bats? That's a fundamental part of the estate. It's just more and more stress a national grid can't.

00:11:35:06 - 00:11:50:07

Like, why won't they talk to landowners? And instead of producing maps that look good, but are I? There's no way I could sign a document agreeing to half of these things. It's just. Yeah. More stress for landowners and pretty pictures for the planners.

00:11:53:15 - 00:11:58:09

Thank you, Mr. McLean. Um, and I have, uh, Mr. Peterson hand up online.

00:12:00:01 - 00:12:20:24

Hi. Look, I just thought it was worth coming in at this point to say exactly the same point, but from a parish council point of view. So in terms of Birstall Parish Council, the plan that I've seen bears no resemblance to actually what is required on the ground from a Birstall village mitigation point of view. Thanks very much.

00:12:21:04 - 00:12:40:06

Thank you, Mr. Peterson. Um, given that these are these discussions are ongoing between the two parties in terms of the councils and the applicant. I wondered if, uh, did the council wish to respond on any of those points in terms of the specifics, if you like, of the announcements.

00:12:41:03 - 00:13:15:07

Thank you, Sir Michael. The Suffolk County Council, I don't think I can speak for the the Waltham area, but in terms of the Bristol area, um, we clearly are um, considering that, uh, through the county council's landscape team, uh, and obviously, if there are concerns, um, from the parish council about the proposals, I think we would be happy to hear those concerns offline, as it were, to rather than dealing with those through the examination.

00:13:15:22 - 00:13:24:23

Thank you. Um, Mr. Harris. Okay. Thank you. So if we move on now to, um, offsite planting schemes. Um.

00:13:27:04 - 00:13:39:03

And it's just a couple of questions, really? Um, if you could talk me through the offsite planting delivery scheme and how that will be engaged and enforced.

00:13:40:01 - 00:13:43:19

Russell Harris KC for the applicant. I'll ask Naomi Hayes to do that, please.

00:13:46:14 - 00:14:29:04

Thank you. Naomi Hayes for the applicant. So the we've drafted a, um, unilateral undertaking which was shared with the local authorities. We shared the heads of terms for that agreement in October last year, and then we've shared a detailed agreement more recently for their for their comment. That unilateral undertaking, um, secures the production of an off site delivery planting scheme and that that the planting scheme will identify the, um, the provision of offsite planting needed.

00:14:29:14 - 00:15:01:06

Um, because part of our commitment is we'll look to obviously put back the 3 to 1 within the order limits where we can. So it's just the the off site element that this offsite planting delivery scheme relates to. It will then provide details of the mechanism of which will deliver it. So it at the moment we're retaining flexibility for how that's done. It could be a direct provision. It could be a um grant based scheme.

00:15:01:08 - 00:15:34:05

It could be um, through the relationship, you know, an agreement with another organisation working in the area. We want to try and retain that flexibility so that we can deliver it in the best possible way. So the the off site planting scheme will identify the quantum of trees necessary off site. It'll then identify how we're looking to do that. And um, with the site selection criteria. And then it will set timeframes for that delivery.

00:15:34:07 - 00:16:10:16

And, um, once we've delivered that, there will be the unilateral undertaking identifies that we'd provide a verification report to confirm them that effectively, what we've delivered is how we set out with deliver it. Do recognise that in through the submissions that have been made, there has been some, um, you know, ask of additional information in relation to this from, from various parties. And I think we, we recognise that and it's we want to try and provide a little bit more information.

00:16:10:18 - 00:16:45:29

So the next deadline, we're looking to submit an outline offsite planting delivery scheme to provide that, that further information to, to give people greater confidence in the delivery of that. And um that will provide a bit more flavour. It will set out the, the framework by how we're looking to identify the type of site selection criteria that will we'll use. And then we'll take that forward with the final off site delivery scheme will be an extension of that outline document.

00:16:47:13 - 00:17:01:27

Thank you. That's useful. Um, that also preempts a couple of my other questions. But um, will the the the unilateral also contain provisions for aftercare and issues such as, um, provenance of native species and so on?

00:17:04:09 - 00:17:22:04

Yes. So the, the unilateral at the moment, does, um, commit us to providing a five year aftercare. Um, and that obviously depending on how we deliver the planting, it could be secured through an agreement or. But but it would be that would be looked to be secured. Um.

00:17:24:13 - 00:17:41:14

And in terms of the provenance, we have made a commitment that we look to obviously use locally a perfect species, and that will be a commitment in the outline. Um, offsite planting delivery scheme. And um, I think that is also in the EU.

00:17:43:14 - 00:17:56:01

Thank you. And I understood it. The, um, this relies on obviously the landowners where you would site the off site planting areas. So is kind of progress being made in those areas too.

00:18:00:03 - 00:18:34:21

So we haven't spoken directly to landowners to, to identify specific locations. Um, first and foremost, obviously we look to looking to deliver the three for one tree planting on site and it won't be until the whilst we identify pre commencement what we're removing on site. What's being put back in terms of reinstatement will be provided through requirement nine. and therefore it's only at that point will identify how much planting we need.

00:18:34:23 - 00:18:54:17

So we're and because we're looking to retain flexibility on on how how that's delivered. So you know could be through a grant based program. We um yeah, we haven't started those specific conversations with landowners because we're not the quantum isn't hasn't been finalized yet.

00:18:54:29 - 00:18:59:18

Thank you. Understood. Um, is there anything that the council's wish to raise on this matter?

00:19:02:25 - 00:19:44:03

Thank you. Sir. Um, Michael Bedford, Suffolk County council. Um. We are. Well, first of all, obviously the the principle as to why this is required, we've set out our position in response to your question, Jen, to, um, in our rep 5271. But in terms of then the mechanics, certainly, uh, I'm not over the detail of the draft document that has been shared to the local authorities. I think we do do have some concerns as to whether it will prove to be effective, but that is a matter for dialogue and no doubt those discussions can and should carry on.

00:19:44:05 - 00:20:39:21

I think what we, um, all should be concerned with, and I think we are all concerned with, is we want something that works. And that's to say we understand. Sorry. We quite understand the point that, as it were, the amount that is left over to be off site planting can't be settled until you've resolved how much can be achieved within the red line boundary. But nonetheless, what we don't want is that for that residue, that becomes the matter for the offsite planting that isn't subject to tangible measures to ensure that it's delivered, that say, we don't simply want there to be, as it were, a pot of money that the local authorities are left to do with something, as opposed to clear commitments to ensure that it leads to the outcome desired, which is the replacement planting at 3 to 1.

00:20:39:23 - 00:20:43:15

So but that's a matter, I think, for the dialogue and discussion to to continue.

00:20:46:04 - 00:20:50:19

Thank you. Um, anyone else wish to raise any points on this matter? Uh.

00:20:53:11 - 00:21:00:07

I'll just go to the council online and then I'll come to you. Madam. Thank you. So, uh, imaging, please, um, for Essex County Council.

00:21:04:06 - 00:21:37:13

Essex County Council, just to flag that in addition to the, uh, unilateral undertaking that is, uh, has been circulated by the applicants that deals with the off site planting delivery schemes. Um, the local authorities, excuse me. The local authorities in their, um, draft section 106 document have made equivalent provisions, essentially. But I think it's fair to say in more detail I won't go through it line by line, but some more detail on kind of delivery and maintenance and also on monitoring, which I know is your next question that you're coming to.

00:21:37:15 - 00:22:05:20

So obviously there are both of those documents are kind of going between the parties, and that's a subject of ongoing discussion. But I don't think, you know that that will just work out. I know we had some points on replacement planting, but I don't think you probably want to hear those now. Um, but if you do want to hear them, then I have Peter Dawson online who can flag some of the concerns about the 3 to 1 replacement. But I think that's probably trespassing into a slightly different topic.

00:22:06:06 - 00:22:10:09

Yes, I think so. Probably don't come into monitoring or even into your written submissions.

00:22:10:11 - 00:22:12:01

Yeah, yeah. All right then.

00:22:12:03 - 00:22:12:18

Thank you very.

00:22:12:20 - 00:22:13:05

Much.

00:22:13:07 - 00:22:17:01

Thank you. Yes, please. The lady in the room. Thank you.

00:22:17:03 - 00:22:52:02

Thank you. Carolyn Mason parish council. Um, I apologize if this information is available, but for for me to keep up with all of the literature is quite difficult. But I really just want to raise this issue now.

Apologies if it's in the wrong place in Ardley and Little Bromley. We've got, um, since, uh, 2020. Um, we've had a number of, uh, mature oak trees with um, tipos tree protection orders on them from Tendring District Council.

00:22:52:20 - 00:23:26:20

I've had a rough calculation and I think likely to be affected. A 95 mature oak trees within Ardley and tens of meters of ancient or mature hedge hedgerows, which might be taken out for the 3 to 1 calculation. That's 300 mature oak trees that need to be replaced as close to the site as possible. I remain to be convinced how that's going to happen practically and any off site is how far away is off site.

00:23:26:22 - 00:24:01:20

I'd like that clarified, please. And also, um, personally, I'd like to know for biodiversity net gain costs. Has that been calculated yet. Is that in within the the costs that National Grid are putting forward because anecdotally from another public service public supplier who is working in our area, they're saying that to clear a compound site and provide compensation or to pay for BNG, it's costing them millions.

00:24:01:22 - 00:24:16:18

And that was for a 13 hectare site. That was an example they quoted to us. And that makes me wonder as to the true cost of being across the whole of the project. Thank you.

00:24:17:06 - 00:24:23:03

Thank you very much. Um, and we have John Blake online. Thank you.

00:24:28:09 - 00:24:29:03

Thank you. Sir.

00:24:29:05 - 00:24:30:15

Can you hear me? All right.

00:24:30:17 - 00:24:31:06

I can, thank you.

00:24:31:14 - 00:25:01:21

Yes, yes. Thank you. John Blake, for the north, west and southwest. The chance of Parrish's group. And yes, it was a sort of slight mixture of quite a specific question to the wall thumbs, but it raises a slightly more general issue. Um, the specific thing was, obviously, as I've been listening to the debates, there's quite a bit of complexity about, um, about this whole, um, topic. Um, and, um, quite a bit of complexity of cost as well, potentially.

00:25:02:04 - 00:25:40:09

I wondered, um, if it might be helpful to have some idea, uh, for the Wolfram's of what the cost of an additional, uh, 1.36km of, um, of overhead line would be. Um, I say this because the west of Great

Waltham route, which has been, you know, examined by National Grid, um, would by all accounts avoid a lot of the impacts and therefore possibly a lot of would avoid a lot of the need for, um, sort of compensatory planting, etc..

00:25:40:19 - 00:26:11:29

Um, obviously paragraph 210, one of, of N5, um says that avoidance should be the primary stage of the mitigation strategy anyway. And I just wondered if the applicant could produce, uh, even if it's at the ballpark figure of what, you know, 1.36km of overhead line would cost, because then that could be compared with the various costings that are going to come out of the section, uh, 106 agreements as they emerge.

00:26:12:15 - 00:26:13:17

Um, thank you sir.

00:26:14:01 - 00:26:17:11

Thank you. Um, uh, Miss Pearson.

00:26:19:02 - 00:26:19:17

Rosie.

00:26:19:19 - 00:26:49:27

Pearson. Pinotti. Stand clear. Um, I have concerns about the master plans. Just looking at the area I'm very familiar with, because it shows opportunities for green connectivity in areas which already are open access to the public, with either meadows or woodland. Um, it shows another. This is all Alderman Fordham, and she has another, which is already a country lane with hedgerows. But it's talking about some kind of, um, enhancement to green connectivity. But there's literally looking at the map, you cannot enhance what's already there because it's already got green connectivity.

00:26:49:29 - 00:26:56:12

So I would imagine this would be replicated across many of the maps up and down the route. So we'll have to try and study those and put submissions in.

00:26:56:26 - 00:26:59:22

Thank you for that. Um. Mister McLean.

00:27:01:00 - 00:27:50:03

Hello. Charlie McLean from Langley's estate. Uh, it's just regarding the five year, um, program to monitor the trees. Uh, in our experience on our estate with woodland plantings, especially with the drought. Only 30% of the trees recently survive on National Grid, committing to five years from the date of the planting, or if a tree is planted in year for a national grid, only looking after it for one year. Or is this five years from the date that tree is planted? Because we'll lose a lot more trees and it won't be 3 to 1 if if they're saying five year program, is it not more sensible to say right until 90% of the trees are established, rather than just writing off after five years and saying, that's tick box done.

00:27:50:05 - 00:27:53:06

I've achieved what I wanted. Thank you.

00:27:53:11 - 00:28:12:15

Thank you, Mr. McLean. We're actually going to come on to those questions in the next section of monitoring, so. Okay. No problem. Um, and I just check before I revert to the applicant. Um, there was a hand up online from Emma during. Again, I was just checking if that was a legacy hand or if it was a new point you wish to raise.

00:28:15:14 - 00:28:21:16

No, sir. I think I was going to say something, but the moment passed and my hands gone down. I don't need to write anything now. Thank you.

00:28:21:18 - 00:28:29:28

Okay. Thank you very much. Um, yes. If I have a response to any of those points from the applicant, and if you wish to reply in writing as well.

00:28:30:00 - 00:28:48:11

Thank you. Will replying. Russell Harris KC for the applicant. We'll reply in writing to all of those points. Just to note that we did receive the compendious section 106, including tree replacement, last week, and we're looking to explore its terms and import them into our draft insofar as we think are necessary.

00:28:48:22 - 00:29:19:26

Thank you very much. Okay. We move on to a monitoring now. Um, and the majority of the planting that takes place will be, um, subject to, I believe, a five year aftercare period. Um, and I know that you consider there to be widespread justification for this figure, including precedent. Um, also, that failure rates fall after 2 to 3 years, and that this adheres to BS standards and other guidance. Um, I just want to ask you a few questions.

00:29:19:28 - 00:29:38:03

So given the impacts of climate change in East Anglia and the widespread landscape and visual impacts of the scheme, is this time period enough, and could a more adaptive approach be pursued depending on the sensitivity of the areas, the specific areas along the route and the importance of the landscape planting as mitigation?

00:29:41:29 - 00:29:48:21

Russell Harris, Casey for the applicant, um, I'll ask, I think in the first instance, Naomi Hayes to speak to that, please.

00:29:51:09 - 00:30:04:15

I think he and Naomi Hayes for the applicant. Um, so we've, um, obviously the five year period we do consider is, um, is sufficient. Um, we've obviously.

00:30:04:17 - 00:30:18:06

Put representations in, in relation to that, but, um, we can also expand on that with um colleagues here. Um, in terms of the adaptive nature, obviously through the.

00:30:18:08 - 00:30:18:29

Outline.

00:30:19:01 - 00:31:02:26

Landscape and ecological management plan, we have committed to providing adaptive nature to that monitoring in that five year period. Um, there obviously we would, you know, review the monitoring and and provide adaptive majors as appropriate. So there is an adaptive element to our commitment, albeit it doesn't then extend the, um, the time period. Um, I think it's important to also note that obviously the the mitigation areas, the for the landscape around the permanent infrastructure of the substations capable of sealing and compounds around the environmental areas, that's a commitment of 30 years.

00:31:03:03 - 00:31:34:05

Um, it's the reinstatement planting that obviously falls to the five. And it's also not that the there's no aftercare period after the five years. It's that obviously as the applicant, that's when our, um, commitment to the to the aftercare stops. But it would then continue, obviously in its current, um, maintenance routine as it's currently maintained by the landowner when the land is obviously given back.

00:31:34:07 - 00:31:58:06

But, um, if you wanted more specific detail in relation to the sort of why we consider, um, that five year planting appropriate, um, I can ask both, um, Rebecca, great tricks and, um, if there's sort of specific questions on trees, we've also got, um, Mark Watson.

00:31:59:13 - 00:32:31:28

Thank you. I think it just, um, it may be something that might be worthwhile in writing in terms of the expanding on that point, Um, my question, I think, arises from where arises from a number of submissions, but also, um, it's been well documented on the new section of the A14, um, between Cambridge and Huntingdon that the, the a lot of the planting has been largely unsuccessful. We have obviously a similar climate to the area that we're talking about here. Um, and I know that National highways have had to replant lots of trees and when you drive along.

00:32:32:00 - 00:32:37:00

So if you could deal with that point as well in the written submissions, that'd be useful.

00:32:41:20 - 00:32:46:08

Um, does anyone else wish to raise any comments about monitoring Mr. Bedford?

00:32:46:10 - 00:33:18:09

Thank you sir. Suffolk County council. Well, it's absolutely just to echo that point that we consider that there needs to be something which is less, um, ring fenced by a chronological period of five years and should be more adaptive to the particular location and the particular conditions for the reasons which we've referred to in our earlier reps, including in the L. I are so so we are absolutely of the view that the applicant needs to be a bit more flexible on its approach to this, rather than, I say, simply using it as a chronological cutoff.

00:33:20:19 - 00:33:25:23

Thank you. Um. Anyone else? Uh, Miss Pearson.

00:33:26:25 - 00:33:35:07

Rosie Pearson, East Anglia. We again, we're worried about the A14 case. We'd prefer to see an outcomes based measure rather than a time, a fixed time period.

00:33:36:18 - 00:33:37:11

Thank you.

00:33:39:06 - 00:33:43:24

Okay. I'm not seeing any of our hands up. Um, is there anything else you wish to raise on that matter?

00:33:43:26 - 00:33:45:21

Nothing. Thank you, sir. We'll take those away.

00:33:45:23 - 00:34:19:09

Thank you. It's appreciated. If we can move on now, then to agenda item 5.2, the Colin Valley. Um. And you'll see on the agenda that I raised the two, um, the two technical notes or landscape notes that were submitted at deadline five. Um, these concentrate on similar areas. Um. Rep 522277. Sorry. Submitted by village against pylons. Um considers the area between pylons TV 35 and TV 50 in the Cone Valley, and a Landscape partnership report submitted by pylons.

00:34:19:11 - 00:34:47:27

East Anglia and Oldham Parish Council covers a slightly wider area, um around about, Great Hawksley in the north to Little Tay in the south, including the Roman River corridor as well. Um, so my first question is, I think, ah, to the authors of these reports, if you like. Um, and there is such a question really to, um, the authors of the landscape report. Um, so I'm not sure if you could help us on this, mister, but, um,

00:34:49:15 - 00:34:58:21

could you give me some more information and evidence over the visual and functional relationship between the Culm Valley and Dedham Vale national landscape?

00:34:59:12 - 00:35:14:18

Um, certainly. I can respond in outline to that now. I will note, however, that the report was prepared independently by plan scape or paid for by residents. And so if you don't object, we'd also take the question away, pass it to the author and come back in writing as well.

00:35:14:20 - 00:35:15:12

That'd be fine. Yeah.

00:35:15:14 - 00:35:53:06

Pretty good. So, um, TV 35 sits just outside of the Dedham Vale. Um, per the visual impact reports, uh, provided by the applicant. Um, the pylons in that area, you will recall, are visible widely across the vale, across about a quarter of the Vale. Um, so you have infrastructure emerging from the ground very close to the Vale, certainly within visual impact. Um, the applicant appears to be taking the view that the second that you are outside of the Vale, the presumptions to undergrounding in Ian 52.9 fall away.

00:35:53:21 - 00:36:31:02

Um, I was asking the question earlier. Um, precisely because the wording of the M5 does not say that. It makes it clear that even residual impact is unacceptable and that, um, uh, it's where any part of the infrastructure crosses a protected landscape. Um, landscape itself, of course, doesn't tend to have firm boundaries in the countryside. And the, uh, Corn Valley is immediately adjacent to the Stour Valley and, uh, immediately adjacent to the boundary of the vale and forms a continuous part of the setting of the vale.

00:36:31:08 - 00:37:04:06

So, um, as you'll see in the prepared material, um, there are two arguments set out there which run both separately and together. The first is that the Corn Valley, being contiguous with the Vale, is an important part of the setting, and that the infrastructure, um, is, uh, is highly impactful to both. Um, I understand from the applicant submissions that it is accepted that the Corn Valley itself. And this comes to the second point, but the Corn Valley itself is also of special quality.

00:37:04:22 - 00:37:38:04

Planescape have detailed how that arises across the usual axes of natural heritage, recreational use, and scenic qualities, all of which are rated high, and all other values which are rated medium high. Now the point is the the two landscapes side by side and are often used in a continuous way. So if you were to pop down to that area, you'll find people walking the, uh, walking the lanes and walking through the many, uh, you know, countryside pathways in the area.

00:37:38:11 - 00:38:30:24

Um, and they don't stop at boundaries in the way which I think is imagined by the applicant. Um, they will continue along those pathways and they will see both landscapes at the same time. Um, so it's very clear that they are connected. Um, the other issue, of course, is that there are only certain access routes into the Dedham Vale, and there are common access routes with the Colne Valley, and that anybody seeking to enter the Vale, because of the the horizontal nature of the infrastructure where it comes out of

the ground in Ardley, all the way along to where it takes its southern turn at Little Hawksley around TB 35, will be passing beneath the infrastructure, and there are very few routes which pass through the the gap in between which is which is on the ground.

00:38:30:26 - 00:39:02:25

And so, um, anybody using those two spaces or anybody wishing to, to experience the natural heritage there, um, will be seeing infrastructure and that clearly will impact both settings, uh, equally. So um, we'll come back in writing as well on this, but, you know, from a, from a residents and users perspective, uh, the message that we receive is very clear that these two landscapes are are continuous. I think that was a point which was also important in

00:39:04:13 - 00:39:42:03

another related landscape, which is the Stour Valley. And if you look at the the the reasons why the Stour Valley project was set out and why there is a journey towards giving that area special status, it's for many of the same reasons as we're as we're highlighting here. Um, as I say, in terms of the landscape itself and the Coal Valley, it is, uh, it's clearly a special landscape. Um, it is um, it is used very heavily by residents not only of, uh, Colchester, but also because the Essex Way passes directly through it.

00:39:42:09 - 00:40:02:10

Uh, there is Woodland Trust land. Um, I mean, to Pierson's point, um, there's Woodland Trust land, and there has been a lot of work done in the area on the continuity of the landscape and making, uh, you know, making that landscape of great value and, and useful to residents and, uh, and others alike.

00:40:04:02 - 00:40:08:03

Um, so I think that would be my response to that. As I say, we will come back in writing as well.

00:40:08:05 - 00:40:21:10

That's that's thank you. That'd be useful. Um, for, uh, East Anglia, is there any comments you wish to rank or landscape consultants wish to make? On the same question, really, about the connections between Coal Valley and the Vale.

00:40:21:15 - 00:40:25:00

Rosie Pearson policies. Anglia it won't be me, it'll be Simon Naismith online.

00:40:25:02 - 00:40:26:02

Thank you. Thank you.

00:40:27:04 - 00:40:28:04

Uh, thank you sir.

00:40:28:07 - 00:40:32:08

Uh, yes we would we would concur with, um, the the.

00:40:32:10 - 00:40:33:19

Views we've just heard.

00:40:33:21 - 00:40:36:16

Um, the landscape of the Colne.

00:40:36:18 - 00:40:37:03

Valley.

00:40:37:05 - 00:40:51:00

Shares many of the similar, um, characteristics to that of the, uh, the Dedham Vale, uh, and it, uh, it clearly forms part of the the setting of the, uh, of the national landscape.

00:40:53:05 - 00:40:53:20

And.

00:40:55:17 - 00:40:59:05

Carry on if you wish. That's okay. Thank you.

00:41:01:10 - 00:41:06:06

Okay. Um, do any of the council's wish to make any points about this? Thank you.

00:41:07:09 - 00:41:09:00

Thanks very much. Just want to acknowledge the.

00:41:09:02 - 00:41:09:28

Additional work that.

00:41:10:00 - 00:41:10:15

The two.

00:41:10:17 - 00:41:11:02

Parties.

00:41:11:04 - 00:41:13:21

Have put in, and thank them very much for that. I think the key point.

00:41:13:23 - 00:41:15:17

Here is that they've.

00:41:15:25 - 00:41:17:15

Further demonstrated significant.

00:41:17:17 - 00:41:18:02

Harm.

00:41:18:04 - 00:41:20:25

And National Grid have not accurately.

00:41:20:27 - 00:41:21:12

Or.

00:41:21:14 - 00:41:23:07

Effectively responded to that.

00:41:23:12 - 00:41:28:19

Um, and that really is the key issue here. This is an area where undergrounding should have been seriously considered.

00:41:28:21 - 00:41:29:06

And hasn't.

00:41:29:08 - 00:41:29:23

Been.

00:41:29:25 - 00:41:30:10

Unfortunately.

00:41:30:16 - 00:41:47:18

Thank you. Um, I do have questions, further questions on on that matter. But if I could just revert to the applicant just on the. We've heard some wider points there, but just on the points about the if there's any disagreement between yourselves about the the links between Cone Valley and Dedham Vale. Thank you.

00:41:48:00 - 00:42:08:03

Uh, Russell Harris. Casey, for the applicant. We've got points to make on the policy matrix and on the tests that have to be applied. Leave those to. Now. For now, I'll ask Miss Matrix to deal with the the connections, the link, the relationship with Dead and Veil, and also whether the Star Valley is an appropriate exemplar.

00:42:09:24 - 00:42:10:15

Thank you.

00:42:11:00 - 00:42:42:21

Thank you Rebecca. Great tricks for the applicant. So on the point of, um, the Planescape note raising, the fact that it's considered the com values in the setting of Dedham Vale National Landscape, we don't agree with that judgment. We've actually undertaken a setting study ourselves. Um, and that's in app 255 in annex A, um, we say we haven't considered the Coghlan Valley, including the area around Fordham, to be considered form part of the setting.

00:42:43:03 - 00:43:16:04

Um, the setting study identifies areas of the landscape where pylons might give rise to substantial impacts, whether they'd be positive or negative on the natural beauty and special qualities. And that's in line with the guidance published by Dedham Vale. In terms of considering impacts on setting, um, we note that Planescape Report doesn't provide a setting study to evidence the assertion that the common value forms part of the setting. Um, we also want to point out that Natural England have raised no concerns or suggestions that the setting extends beyond that which we've identified.

00:43:16:22 - 00:44:00:08

Um, and to my knowledge, neither have Dedham Vale National Landscape raised concerns in terms of the Don Valley, um, in relation to the Sturt Valley project area. Yes. Part of the Sturt Valley project area outside of Dedham Vale was considered a form part of the setting. Um, this is, um, different to the Cone Valley. Um, the Dedham Vale National landscape actually put forward a proposal to extend the national landscape put forward a candidate area that had had substantial evidence behind it in terms of consideration of natural beauty criteria that need to be considered when thinking about designating national landscapes.

00:44:00:19 - 00:44:34:20

Um, so I think it's a different matter entirely. Um, myself and colleagues have worked on projects where we've looked to consider whether there are potential for national designated landscapes to be extended. So we're familiar with the natural beauty criteria and the process that that need to be gone through to think about whether a landscape meets that, um, requirement. And in our opinion, we don't feel that the Coal Valley does meet sort of national designation status. We do recognise the value, the local value of the common value, and that's reflected in our assessment.

00:44:34:26 - 00:44:40:16

Um, and we note that the landscape report broadly concurs with our landscape and visual impact assessment.

00:44:41:25 - 00:45:08:06

Thank you. Um, a common view of the of of both reports, and indeed quite a few councils as well, is that landscape effects have been looked at almost with too much of a broad brush, if you like. Um, using the landscape area of characterise as opposed to more localised harm. And that in turn could understate the likely effects arising from the introduction of large scale infrastructure in the Comb Valley area. Your your view on that place.

00:45:09:12 - 00:45:40:00

Yeah. Rebecca great tricks for the applicant. So we've undertaken our landscape and visual impact assessment, um consistently across the entire study area for the project, which is obviously, as you say, is a rather large project 280km. We've used published landscape code assessment, um, evidence to, to use as a baseline for the, for the assessment. So we recognize that the um, I think it's the landscape partnership report has identified to local landscape character areas and suggested there are differences in sensitivity.

00:45:40:09 - 00:45:54:10

Um, we do acknowledge that across these larger landscape coverage areas, sensitivity will inevitably vary. It's not a blanket sensitivity applied across that area, but we stand by our, um, judgments that we've made in our assessment.

00:45:56:09 - 00:46:33:14

Thank you. Um, there are a fair number of similarities between the two reports that have been submitted. Um, and, um, the examining authority note that the reports do agree with a lot of the applicant's assessment of the area. Um, both conclude that the area is particularly sensitive area. Conclusions are largely shared with yourselves and that alternatives in line with paragraph 2.9.4 of M5 should have been considered or should be considered in more depth. Um, I think the plant gate report concludes that undergrounding in the area should have been pursued, and the Landscape Partnership report states that there is a reason why.

00:46:33:16 - 00:47:08:21

Evidential basis for further consideration of localized undergrounding within the section of the route as a means of reducing effects. So we have before us two independent reports by professional landscape consultants who end up concluding very similar things. And when coupled with the views of the relevant councils and indeed some of the findings of your own environmental statement, it could be seen to add up to a strong case that the cone valley and adjoining area are of high landscape value and sensitivity, and that the proposal would have particularly significant landscape and visual impacts.

00:47:08:23 - 00:47:17:18

And therefore paragraph 2.9.14 of E and five would be highly relevant. Um, like your views on that statement, please.

00:47:20:00 - 00:47:26:15

Rebecca, great applicant. I would like to ask Paul Beeston to comment on.

00:47:29:17 - 00:47:38:07

Um, yeah. In terms of particularly significant, um, I don't know if Russell, Mr. Russell Harris wants to comment on that in relation to widespread as well.

00:47:38:28 - 00:48:13:16

Um, can I say something about the policy matrix? Because, of course, neither of these studies engages with the wider policy matrix for, um, areas that are outside of designated landscape areas, and that gives rise to a particular test that the decision maker has to have, regard and operate. And so so do you in those

circumstances. So if one I don't know if I can ask you to pick up the, um, you probably have it open in front of you, um, in five and in particular, um, two 920.

00:48:16:27 - 00:48:58:12

So all of these would be familiar with you. Two 920 um, states the strong starting presumption for electricity networks in general, and that is they should be over overhead. That presumption is reversed in nationally designated landscapes. That's, um, two 920 and 2921. So the policy test starts there. Then in two, nine, 23. Additionally, there may be cases where a high potential for widespread and significant adverse landscape and or visual impact along certain sections of the route may recommend the use of undergrounding, may recommend by the applicant in the circumstances of this case.

00:48:59:12 - 00:49:37:27

And then um 2924 in these cases, and taking account that the government has not laid down any further rule, that that is a sentence that hardly any of the objectors ever refer to, because the further rule, um, that there isn't is further to the general rule that set out in two 920 and 2921. And what it does is it creates a strong presumption in areas outside of national parks in favour of overhead lines, and then it provides the tests by which that presumption can be overruled.

00:49:37:29 - 00:50:07:17

And the first test, if you like, the gateway test, is a high potential for widespread and significant adverse landscape and or visual impacts along certain sections of the route. That gateway, then, does not lead to the setting. Aside of the presumption, the presumption still is in play and can only be rebutted if the test set out in two, nine, 24, and the other paragraphs we've looked at two, nine, 25 is Harris.

00:50:07:19 - 00:50:17:11

Could I just double check that we're on the same version of M5? Yes, because the version I have, um, it's very similar wording but slightly different paragraph numbers are and.

00:50:17:13 - 00:50:20:01

I'm using the withdrawn one, which is the one. Yeah.

00:50:20:03 - 00:50:21:02

I should be as well.

00:50:21:04 - 00:50:36:20

I'm sorry. Can I also check? Um, I believe you said 220. It says that when the infrastructure is in was your word the national landscape? It doesn't say that in my copy. It says when proposed developments will cross part of a nationally designated landscape.

00:50:36:22 - 00:50:42:29

Well, I think I know for a certainty that the gentleman is using the wrong so for these purposes.

00:50:43:01 - 00:50:44:11

December 25th.

00:50:44:14 - 00:50:49:12

I know you should be, uh, you should be in, um, the 231. November 23rd.

00:50:49:14 - 00:50:52:08

My apologies. Give me a second.

00:51:17:04 - 00:51:18:11

On page 21, sir.

00:51:29:05 - 00:51:30:22

Okay. Thank you. And apologies for that.

00:51:30:24 - 00:52:09:02

No, no, no, it's something I did exactly the same, earlier. And the truth of the matter is, actually, I don't think this is one of those areas where it makes a substantial or any difference. Um, and of course, the up to date, I call it up to date is also a material consideration, and we will address that in our written submissions too. But um, so the starting proposition, the general proposition is two 920 in 2 921. This this is the sentence in these areas, the strong starting presumption will be that the applicant should go underground, that in these areas must be in the areas of nationally designated landscape.

00:52:09:14 - 00:52:41:11

Um, then in addition to that, but not setting down any further rules so that presumption still is in play. There may be areas, um, of widespread and significant adverse landscape or visual impacts. That's a sort of gateway to the, um, rebutting of the presumption and the rebutting of the presumption in two, nine, 24 requires the Secretary of State, in addition to finding that there are widespread and significant adverse effects. Also to consider because it's not in the national park.

00:52:41:13 - 00:53:19:14

The ordinary presumption applies whether there are feasibility, costs, and any harm of the undergrounding of subsea options against adverse implications of overhead line. The cost and feasibility of routing, etc.. And then there's a presumption within the presumption. In such cases, the Secretary of State should only grant development consent for underground or subsea sections of the proposal of an overhead alternative if they are satisfied that the benefits accruing from the former proposal clearly outweigh any extra economic, social or environmental impacts that it presents.

00:53:19:17 - 00:53:51:19

The mitigation hierarchy is being followed and that any technical obstacles associated with the surmountable, and they are then formally mandated to look at the landscape and visual baseline characteristics, the additional cost of the proposed underground, and the potential very disruptive effects

of undergrounding on local communities, habitats, archaeological and heritage assets. So there's actually quite a test to be applied as a matter of law if you aren't in a designated heritage landscape.

00:53:51:23 - 00:54:22:19

Um, so we've made submissions on this that when you look at that test, um, we take the view that the, um, that the, uh, Cone Valley is of very high quality and that's all set out in our evidence, but we take the view that it falls short of being a designated, heritage designated, um designated landscape and significantly falls short.

00:54:22:21 - 00:54:56:08

It's never been a candidate, and it's never, um, ever been identified as forming such a setting. Natural England don't think it forms part of the setting. They agree with our analysis. Um, and for that reason, the reverse presumption, which wouldn't come into play because it's outside of the national park in judging whether, um, it's a strong enough impact to be widespread. One of the things you'd want to have regard to was, is it close to being designated or designated? And we've taken the view that it's not.

00:54:56:10 - 00:55:27:00

And I'll explain. I'll ask Mr. Atrix to explain why that is. She's already explained why she doesn't think it's in the setting. Um, I then ask her to explain next why she takes the view, and it's set out in our last answers to your questions. Why? It's not widespread and particularly significant. So it doesn't open the gateway. And then I'll ask Mr. Royston to explain, even if it did pass that tests how it would fare against the tests in two, nine, 25.

00:55:27:02 - 00:55:54:18

So that that if you like is it sounds quite convoluted, but it's there for a reason. It's the multi-layered test that you need to have if you're outside of the designated area. So if I can ask Miss Greatorex first to identify, um, uh, what in her view, whether it is designated or close to being designated as a national, um, designated landscape.

00:55:56:07 - 00:56:44:04

Thank you, Rebecca Greatorex, for the applicant. Um, before I talk about, um, whether we we feel it's, um, designated as a national designated landscape, I'll just mention about a comparable, um, in terms of particularly significant. So we talked about the Sturt Valley for Bradford instead. And I think that was potentially I don't know if it was put forward in writing in terms of the assessment of it being particularly significant. But that's what I would say something could be considered to be particularly significant because the landscape that they underground it that they are undergrounding um that project through is considered to be of equal, um, weight in terms of natural beauty as Dedham Vale National Landscape, and also forms part of the setting of the national landscape.

00:56:44:15 - 00:57:27:24

Um, in terms of this project, there is an example where we felt that something part of the project was potentially particularly significant near Ardley. Um, there was previously proposals to have two overhead lines through to the north of Ardley, and concerns were raised, um, in terms of the potential for

particularly significant effects in that location. And the project reverted to one overhead line and has committed to underground one of the connections all the way back to the East Anglia connection node. So just to point to those two examples in terms of, um, my initial review of whether the Carbon Valley is, um, carries the same weight as dead in Vail National landscape in terms of natural beauty.

00:57:27:26 - 00:57:58:07

And I note that the landscape note itself reports that the landscape does not necessarily contain rare or nationally unusual features. However, the combination and expression of landscape characteristics within the corridor do create a distinctive and locally important river valley landscape with a strong sense of place. And we note that the indicators of natural beauty in the cone valley are largely derived from the topography and from the natural heritage features that are typically associated with the core part of the river valley.

00:57:58:25 - 00:58:15:20

And I think overall, while the area does demonstrate pockets of natural beauty, and they're typically focused again within that core area of the valley, and they're more diluted elsewhere. And there's a number of reasons which I can go into now. Or we can respond in writing on that to expand it further, if that's helpful.

00:58:16:00 - 00:58:29:08

In writing would be useful. Yeah. Thank you. Um, I know a number of IP's who wish to speak. I will come to you in due course. I've just got a few more questions I know. Um, we have a couple, and I know miss Mason wish to speak. Um.

00:58:31:27 - 00:59:02:04

I understand what you're saying and hear what you're saying. I suppose one of the other points I was going to raise, and we discussed this at the last issue, specific hearing about the Waveney Valley. That undergrounding was considered at Waveney Valley. Um, I believe in line with being five. Um, I don't really want to. Well, I don't want to revisit the Waveney Valley at this hearing, but what the principle differences then between the Waveney Valley and the Culm Valley in this respect, and with reference to Ian five Russell Harris.

00:59:02:06 - 00:59:33:14

Casey I'll ask Mr. Easton to answer that in a second, but I think it would be a misrepresentation to say that undergrounding, which was taken seriously and there was a formal, um, consultation in relation to it, uh, was as a result of paragraph two, 923, I think that that's that's not the case. I think there were multiple there was a multiplicity of reasons for that particular, um, consideration and formal consultation, which I'll ask Mr.

00:59:33:16 - 01:00:27:29

Rawson to speak to. But we, we certainly I don't think in any of the documents identified it as a two, 923 um, proposition. It was it was a more than, more than that. And I think, in fact, if there was a driving issue, it was the setting of the listed church, Saint Remigius. But that clearly was a relevant part. I wonder

if Mr. Reason could, uh, a clear that up and be also deal with the last limb of the Colon Valley? Um, uh, matrix of tests, which involves consideration of socioeconomic cost and any other harm associated with any other undergrounding route, because what neither of these um, um, reports do is to identify where that undergrounding would go or what its consequences would be.

01:00:29:28 - 01:00:31:05

Thank you. Paul Royston.

01:00:31:07 - 01:00:31:22

For the.

01:00:31:24 - 01:00:32:16

Applicant. Um, really.

01:00:32:18 - 01:00:34:20

Nothing to add to Mr. Harris's.

01:00:35:06 - 01:00:36:20

Commentary on the Waveney.

01:00:36:22 - 01:00:37:07

The.

01:00:37:09 - 01:00:37:24

Um.

01:00:37:26 - 01:00:38:23

The assertion. There are.

01:00:39:15 - 01:00:41:00

Other drivers, particularly.

01:00:41:02 - 01:00:41:17

Um.

01:00:41:19 - 01:00:42:12

Central Regis.

01:00:42:14 - 01:01:15:02

Church. Um, and that sort of combination of potential effects. But again, I think it's worth noting that the, um, the sort of consideration was done at the stage when the detail of some of the studies were spent still being developed. So it was done as a precautionary sort of basis, but very much driven by that heritage

aspect. Um, making the same sort of connection to the common values. Mr. Harris says. Once you get to the point when you're, um, potentially considering underground dissolution, you have to work out what that solution may look like.

01:01:15:09 - 01:01:48:06

Um, something like the Coal Valley is my colleague Rebecca has referred to the. The valley itself is relatively sort of narrow. Um, it's the focus of it. So you're looking then at putting the cable ceiling in compound those transitions from overhead to underground some distance back from there. And if you don't go very far back, your the consequences of the, um, extra infrastructure don't really offset the, the consequences of the plan. So you extend the infrastructure infrastructure a little bit further.

01:01:48:09 - 01:02:19:00

Um, and then you're when you sort of establish that approximate location, that then sort of guides you towards that sort of scale of the cost consequence, which is part of the consideration. So we put that in the, the relative balance of what is the, um, the benefit that is being gained from undergrounding relative to the additional effects and those, um, cost aspects. And in this particular case of the coal, um, if even if people took a different view to the view we've taken that it doesn't meet the tests.

01:02:19:08 - 01:02:28:18

Even if you took the view that it did, you then tried to justify that and the cost then outweighs the benefit is the the judgment that we would make.

01:02:30:09 - 01:02:39:24

Thank you. Um, I do have some more questions, but I will go to the floor now if you like. So we go to, um, Mr. Byrne, please.

01:02:39:26 - 01:02:45:05

Thank you. If I may just come back. So David Byrne's village is going to pile on. So let me come back to a couple of the points raised there.

01:02:45:07 - 01:02:46:16

Um, I'll.

01:02:46:18 - 01:03:23:18

Deal with the, uh, the final comments first, if I may. Um, firstly, I'll just remind the applicant it is not for us as respondents to put forward proposals. So, um, I'm not at all surprised that the two plans you have in front of you, or to report you have in front of you, don't propose where undergrounding should go. That would be a matter for you to propose and for us to respond to. Um, with regard to the comments on the, um, the considerations which have been had, um, it's interesting to to hear the set out here.

01:03:23:22 - 01:03:54:18

Of course, it is impossible for anybody to respond to those if they haven't been set out in writing and consulted upon, and that hasn't occurred. Um, now, coming to the more substantive points, um, I think the

applicant is, uh, framing, uh, this too narrowly. Um, it is the position of villages against pylons and independently in the report, uh, from, uh, Mr. Mills. Um, there are two considerations here.

01:03:54:20 - 01:04:29:00

Firstly, the infrastructure which you are proposing impacts upon the Dedham Vale itself. And I didn't hear you deal with that just now. Um, you have demonstrated that the locations for that infrastructure are widely visible across the Vale. You have argued that one must have strict application of policy, and policy tells us that even residual impacts are unacceptable. And you've not argued that. So we look forward to hearing that from you at some point, so that we are able to respond to your thoughts on it.

01:04:29:12 - 01:05:02:21

Um, the second argument made in both cases is about the Coal Valley in its own right. We hear some of what you've said. We do not agree, however. So the, uh, the inspectorate I'm sure, will take a view on that when it comes to the policy. Um. I'm sorry. Yes, I was quoting December 2025 draft. Um, largely because you've argued that it is relevant and that great weight must be given to it. If, however, I revert to the draft under which we will be examining this, and

01:05:04:08 - 01:05:42:22

it's interesting for me to understand when you would like weight to be given to the 2025 draft as opposed to the 2023 draft, but it doesn't change the argument because 2.9.2 is the same as it is in the other draft, in that it talks about when developments cross part of a nationally designated landscape, which this one continues to do. So the interpretation in both drafts there would be the same. Um, you did quote from 2.9.21 in these areas and then continued with the starting presumption.

01:05:42:29 - 01:06:15:08

Um, there's a sentence in between, however, in, uh, enclosing commas in these areas and where harm to the landscape, visual immunity and natural beauty of these areas cannot feasibly be avoided by rerouting the overhead lines. That makes it very clear that it is not only when the infrastructure is within the designated landscape, but also when it has impact upon the designated landscape, which is inarguable here because you have said it does in your own submissions.

01:06:15:20 - 01:06:48:08

Um, so, you know, I think it would do us well to, uh, to, well, to, to consider that 2.9.23 is indeed in respect of additional cases. Additionally, in the sense that and it's explicit where no part of the proposed development crosses a designated landscape, it is not here the case that no part of the proposal crosses the designated landscape. It both does so and does so in very close proximity to the infrastructure you're proposing, and which we're talking about here.

01:06:48:10 - 01:07:30:09

So I would just reiterate, your proposals are, uh, in the terms of in five to be read in the context of the assumption, to undergrounding in order to ensure that there is no residual impact on the Dedham Vale. That's the first point. And then additionally, even if it were not the case, that was impact, the core value would still separately be due consideration under 2.9.23. And whilst you might have had consideration of

that, you haven't set it out and therefore we are not able to comment here, and I assume that the Planning Inspectorate would not be able to give proper consideration to it.

01:07:30:11 - 01:07:33:22

So we'd look forward to hearing from you on those points. Thank you.

01:07:35:13 - 01:07:38:24

Thank you. And miss Mason, please, for parish council.

01:07:38:26 - 01:08:08:26

Thank you, Miss Carolyn Mason Parish Council. Just to re agree with what's just been said, but also to challenge the logic of where in Ardley we can have undergrounding coming to the ECN and then having pylons going back out in close proximity to the undergrounding. There must have been, as you've just described, a logic to why the undergrounding was being brought and that was reflected.

01:08:08:28 - 01:08:19:07

Reflecting the Dedham Vale impact. So therefore the pylons going out are going to have exactly the same impact because they're in close proximity.

01:08:21:16 - 01:08:40:07

Which then brings you to the obvious, the inappropriateness of the siting of the ECN and the cumulative effect, which I know you're going to come on to talk about in a minute. Of all the other infrastructure that's going to follow, which will have a massive impact on the Dedham Vale. Thank you.

01:08:40:28 - 01:08:49:09

Thank you. Um, is there anyone else who wishes to raise any points at this juncture? Uh, miss Pearson.

01:08:50:14 - 01:09:21:22

Rosie Pearson, pylons, East Anglia. Um, if we are to assume that the widespread impact of 2.9.24 holds, then what we're hearing about the impact, benefits and costs that's not been tested. So we're in a slightly circular position where the applicant says there is no widespread harm, and we're being told that we haven't put forward the costs and that, um, the benefits of undergrounding. Clearly we prefer HVDC underground anyway rather than AC, but that's a separate point. Um, we have nothing from the applicant on those harms and costs and benefits.

01:09:21:24 - 01:09:44:09

So we can't make any, any judgment about that. Um, in terms of whether the Cone Valley meets the AoNB now, national landscape tests will put something in writing on this through six tests. And we have long said that we believe the Cone Valley meets those six tests and they're around landscape quality, scenic quality, relative wildness, relative tranquility, natural heritage features and cultural heritage. And we can demonstrate it meets all of those tests. Thank you.

01:09:45:09 - 01:09:46:00

Thank you.

01:09:48:16 - 01:09:50:16

The applicant. I'd like to respond, please.

01:09:50:18 - 01:09:57:01

We will. And in writing, I think given where we are in the agenda, um, that's the most sensible and proportionate way to deal with it.

01:09:57:03 - 01:10:17:07

Thank you. Thank you. That'd be useful. I just have a couple of more questions on this agenda item. Um, we'll finish the agenda item and then we'll break for lunch. Um, so, um, could we have figure 13? Um, from the landscape partnership landscape sensitivity appraisal on the screen, please?

01:10:24:02 - 01:10:46:04

Thank you. If you could make the actual figure. That's great. Thank you. Um, I just want to check this figure. Um, with the landscape partnership, really just check my understanding. It's correct. Really? That, um, it seems to show that the cone valley and the Roman river has a higher landscape sensitivity than the underground area to the north. Um, is that correct?

01:10:49:04 - 01:11:12:25

Sir? Yes, that that is that is that is correct? Yes. So the the on area 13 uh, areas A5, A4 are have a high sensitivity in the the applicant cell via and the B5 and B6 to the to the north. Uh have a medium sensitivity.

01:11:13:24 - 01:11:25:29

Thank you. Um, so the question to the applicant really would arise from that. You have the undergrounding area to the, to the north within a, a lower sensitivity of landscape area.

01:11:26:13 - 01:11:39:07

Yeah. Rebecca, great tricks for the applicant. So the sensitivity has been assessed against the project. And the proposal is to underground in that landscape character area, and therefore it has a lower sensitivity to an underground solution.

01:11:40:23 - 01:11:44:09

I see so that takes that takes account of the undergrounding in that area. Okay.

01:11:44:11 - 01:11:45:25

Exactly. Yes. That's why.

01:11:46:28 - 01:11:52:03

Thank you. Um, landscape partnership. Is that, uh, your understanding to.

01:11:56:29 - 01:11:57:22

Uh, The.

01:11:58:19 - 01:12:28:13

Yes. The the the value afforded to those uh, b5 and B6 is lower than the value afforded in the LVI, A2, A5, and A4, and that wouldn't have any consequences to the to the means of transmission that would come out in the susceptibility, which I agree is is lower for B5 and B6, because that would take account of the um, the underground in opposed.

01:12:29:12 - 01:12:33:22

Thank you. It's great. We should come back on anything now.

01:12:34:22 - 01:12:35:07

No.

01:12:35:09 - 01:12:54:14

Thank you. Thank you. Um, and I just have one more question about, um, within the Cotton Valley. They're both significant landscape and visual effects and significant cumulative effects as well. Um, how was that layering or combination of effects being considered in this sensitive location?

01:13:00:11 - 01:13:31:22

Rebecca Greatorex, the applicant. So in terms of, um, cumulative, you referring to one of the cumulative developments that we've assessed as having impact? Yeah. Okay. Um, because there has been some confusion about, um, cumulative effects. Um, so we say that the effects on landscape character and visual receptors will obviously affect a sequence of places and people along the length of the line in this area. Um, and effects are described in relation to each of the assessment units. Um, they will typically not be assessed as a whole.

01:13:31:28 - 01:13:44:01

We do recognise and in our visual receptor area assessments that people will view the project, um, within different parts of the landscape as they will indeed across the whole of the projects from Norwich down to Tilbury.

01:13:44:28 - 01:13:51:27

Thank you. Um, is there anything anyone else wishes to raise on the comment before? Thank you, Mr. Byrne.

01:13:52:03 - 01:14:14:02

If I may, just with respect to figure 13 of the Landscape Partnership report, of course. What it doesn't show is the area immediately to the north, which is the Dedham Vale area that's just outside the scope of

the map. And so had there been infrastructure in the underground section, it would have had a very significant impact in the the landscape immediately to the north, which is not on the map. It's worth taking record of that.

01:14:14:04 - 01:14:18:25

Thank you. I'll revert to you in a second. Just, um, are there any other points on the comment before.

01:14:20:13 - 01:14:24:13

Thank you. Okay. Oh, sorry. Yes. Um.

01:14:25:07 - 01:14:30:06

Just I'll, I'll, uh, this has been submitted in writing, but it's just to highlight it.

01:14:30:10 - 01:14:31:16

If you could just introduce yourself.

01:14:31:18 - 01:15:17:29

Sorry, sorry. Uh, Joanne Elliott. Um, thank interested party. But also for villagers against pylons. Yeah. Um, we're very pleased that you did a site visit to the area, but I just wanted to highlight that some of the routes you took were the main roads. Understand the reasons for it and the time constraints. Um, we would like to extend what we've put in writing and say we would very much like to take you on an accompanied site visit, because we can take you on four wheel drive in four wheel drive vehicles, um, across the, uh, into some of the areas which are more footpaths so that you would see the impact on the Essex Way, the Fordham Hall estate and Hillhouse Wood, which are all big community projects.

01:15:18:06 - 01:15:48:07

Um, but also the small road that crosses the um plateau from uh West Bergholt to Fordham and down past the dig site, which actually traces the route that the pylons take and isn't surrounded by high hedges, which the roads, the major roads you took are very high hedges, and you would get a much greater perception of the open area. The impact of these pylons and also along Crabtree Lane.

01:15:48:09 - 01:15:56:21

So to see the prominence of the ceiling and compound. So it was just to highlight, we would really like the opportunity to show the panel that.

01:15:57:02 - 01:16:27:09

Thank you. What I would say on on that is that, um, obviously you've highlighted that we have been in that area unaccompanied. And I think you if you look back, our previous notes, we've been in, uh, on some of those smaller roads, for instance, Crabtree Lane, um, we've been down um, and that we are planning on doing more unaccompanied visits, including some of the footpaths, um, Hill House wood, for instance, and that there are more areas that, um, we wish to see based on essentially the two reports that have been submitted.

01:16:27:15 - 01:16:36:20

Great. If you need access to, you know, any, any of the farmland, we can we can take you in vehicles on the roads to minimize your time spent.

01:16:36:22 - 01:16:38:13

Thank you. It's appreciated. Thanks.

01:16:40:25 - 01:16:43:15

Um. Miss Beatrix.

01:16:44:13 - 01:16:45:12

Yeah. Rebecca. Great chicks.

01:16:45:20 - 01:16:46:15

Great tricks. I'll do great.

01:16:46:26 - 01:17:26:21

Sorry. That's fine. Um, just in response to Mr. Burns comment about the landscape, character areas to the north and the fact that Dedham Vale is just off screen to the north. Dedham Vale is approximately 1.3km from the cable sealing compound, so it's not immediately adjacent. Um, and the reason that we have got undergrounding in that character is because of recognition that the project potentially could have been very close to the Dedham Vale national landscape on overhead structures, and concerns were raised in terms of potential for significant effects on the special qualities of the national landscape, and that is the reason for the undergrounding section.

01:17:30:00 - 01:17:38:09

Thank you. Um, it does, uh, Mr. Neeson has his have his hand up. Uh, thank you sir.

01:17:38:11 - 01:18:16:29

So, yes, I just wanted to to go back to the point you asked about the layered effects of different, different effects. Um, rightly, the Elvia has separately assessed the visual effects of the scheme and found there to be significant harm and that effects on landscape character also to have, um, significant harm. And in my opinion, that that simply reinforces the the conclusion that there would be widespread and significant adverse harm to the to the study area, to the Cane Valley as a result of the proposed development in relation to the the tests for M5.

01:18:17:25 - 01:18:21:18

Thank you. Um, Sonia, you wish to come back there?

01:18:21:29 - 01:18:36:13

Yeah. Rebecca Greatorex, the applicant we have previously responded the point about widespread in writing. Um, so I don't feel I need to go over that again. Um, yeah. And just to note that the the landscape partnership do broadly concur with the findings of our assessment.

01:18:37:01 - 01:18:56:00

If you could potentially, um, you mentioned that you previously responded if you could, uh, potentially flag that for us, please, in your as an action point. Thank you. Signpost it. Thank you. Um, so we will move on button. I am conscious I was going to come to Mr. Bedford, um, about your procedural point. Thank you.

01:18:57:02 - 01:19:55:14

Thank you, Sir Michael Webb for Suffolk County Council. I'm very grateful. So it's probably more a point that, uh, I need to direct, particularly to Mr. Butler. It's just a question of whether there is any difficulty from the examining authority's point of view of altering the order of this afternoon's business so that we were potentially to deal with item eight, socioeconomics before item six. Noise and vibration. Um, the reason why I'm asking that question is because, um, a um, I would like, if it is at all possible to complete my, um, representations for the county council today in order that I could attend, potentially a funeral service for a colleague who died recently in Leicestershire, which takes place at about lunchtime tomorrow.

01:19:55:20 - 01:20:32:01

Um, and, uh, I have spoken. Uh, or at least we have engaged with the local authorities who are interested in those two issues. And they don't present any concerns about switching the order of those two issues. But obviously, uh, that's it's a matter for the examining authority. Uh, I will be here, uh, if I'm needed to be here. Um, because that's my job. But I would obviously, if it's possible to deal with that, because obviously we don't have any interest in item um, six.

01:20:32:12 - 01:20:35:12

Um, but we do have interest obviously, in item eight.

01:20:36:06 - 01:20:36:21

Um.

01:20:37:19 - 01:20:38:21

The examining authority.

01:20:38:23 - 01:21:10:00

Doesn't have a particular preference in what the order is. It's just whether or not the appropriate people are in place to to cover the relevant items. So starting with the applicant, does the applicant have any issues with regard to swapping the two items around personally and for other reasons? And I knew the colleague very well. Um, I've got a lot of sympathy and I think we should, if we could and if we can, I just need to check that my witnesses will be available tomorrow. Can I say we're still traveling in hope, if not expectation, that we could finish today.

01:21:10:12 - 01:21:26:06

That would solve everybody's problems. Um, but if you could give us over the adjournment to, um, just make absolutely sure that the right people will need to be here if we do traverse into Friday. Um, I have no objections to, um, to learn friends. Uh, reasonable request.

01:21:27:05 - 01:21:29:17

Does does any other party have an issue.

01:21:29:19 - 01:21:30:08

About.

01:21:30:10 - 01:21:36:26

Swapping item eight? Socioeconomics. Um, Tendring District.

01:21:36:28 - 01:21:37:28

Council, please.

01:21:38:00 - 01:21:58:21

Thank you very much, Jacob Jasper for Tendring District Council, we don't have any issue or objection to that to stopping the tour around. Um, but I'm, I'm similar than the previous figure, which is if it is going to be swapped around. Um, is it likely that item six will be heard today, or do you think it's more likely that it will be heard tomorrow? Thank you.

01:21:59:11 - 01:22:06:18

Um, my personal view and I haven't taken a view from the rest of the panel yet. Is that based on the speed that we're going with landscape and.

01:22:06:20 - 01:22:07:05

Visual.

01:22:07:07 - 01:22:14:00

It would be likely to fall over to tomorrow for item six. But, uh, does anybody else have an alternative view?

01:22:16:21 - 01:22:34:13

Yeah. No, we we we we are assuming that we are going to drop over till tomorrow. So item six would be tomorrow. It's unlikely that we'd get to it today. Although having said that, the the topic item for socioeconomics is not long. As far as we are concerned, it depends.

01:22:34:15 - 01:22:47:28

On the members, the members that are the members of the local authorities, the applicant and obviously other interested parties that wish to add anything to the areas that we wish to explore, which is primarily around the employment and skills plan.

01:22:49:27 - 01:23:04:27

From our Russell Harris Casey. For the applicant, we concur that we think that's relatively brief. Okay. All right. Does anybody else have anything to say? In that case, we will agree to swap them around. Mr. Bedford.

01:23:05:20 - 01:23:07:05

My friend wanted to check with him.

01:23:07:12 - 01:23:19:22

Yes. They just aren't in the room. They are probably listening upstairs. Can we. Can we defer and come back at the the end at the start of the break, just to confirm one way or the other to ask you at the beginning of the next session? Yes. Thank you.

01:23:22:29 - 01:23:34:17

Okay. Thank you. So we'll adjourn now, um, until 2:00, um, when we'll come back and we'll deal with that issue first, and then we'll go on to agenda item 5.3. Thank you.