

## **Norwich to Tilbury Examination – Deadline 6.**

### **Representation by the North-West and South-West of Chelmsford Parishes Group**

#### **ISH4, Item 5.1, Landscape and Visual Effects, Mitigation: Summary of Oral Comments and Related Matters**

##### **Introduction**

1. The North-West and South-West of Chelmsford Parishes Group ('the Parishes Group'/'the Group') is an alliance of 9 parish councils: Broomfield, Chignal, Great Waltham, Highwood, Ingatestone and Fryerning, Little Waltham, Margaretting, Roxwell and Writtle.
2. Item 5.1 of the Hearing included: Compensation and the mitigation hierarchy; Masterplans [REP5-199] (and reference to specific areas covered by the masterplans); Offsite planting delivery schemes; Monitoring.
3. In this representation, we summarise the Group's oral contribution at the Hearing; and then report further work following on from the Hearing.

##### **General Points made at the Hearing**

###### **4. Deliverability**

The Group's representative drew attention to some complexities and uncertainties about deliverability. These include:

- The Applicant's stated position that it would only entertain such measures if specifically required by the Secretary of State (see [REP5-199], para. 2.5). The Applicant showed no willingness to implement such measures otherwise.
- Land ownership: the Applicant explained that much of the land required is in third party ownership, which could affect deliverability (see [REP5-199, para. 2.6).
- Cost and effectiveness – for instance that agreed funding may prove to be insufficient; and that new planting may fail due to weather conditions.

These complexities/uncertainties lead the Parishes Group to be dubious about the success of such measures.

###### **5. Policy Basis**

The Group understands that the policy basis for such measures includes EN5, para 2.10.6. However, the Group holds that earlier stages of the Mitigation Hierarchy have not been sufficiently pursued by the Applicant; and that doing so would be more effective in reducing the level of harm caused the Project. These earlier stages include para 2.10.1 (routing and avoidance) and 2.10.5, bullet point 3 (rationalisation and undergrounding of existing infrastructure in the vicinity).

In the case of both Great/Little Waltham and Ingatestone/Buttsbury, the Parishes Group has advocated the case for a route to the east and south of Chelmsford, enabled by selective undergrounding of the existing 132kv OHL.

In the case of Great/Little Waltham, there is an additional opportunity (the 'west of Great Waltham alternative) to divert the route so that the heritage harms would (by the Applicant's own admission) be significantly reduced (see [APP-122], para. 9.2.4). For this reason, we suggested that the Applicant clarifies the cost of the additional 1.36km of OHL that would be required to implement the

‘west of Great Waltham alternative’ so that the cost can be compared with the that of the suggested landscape enhancements in the masterplans.

### Further Comments by Alison Farmer Associates

6. After the Hearing, we asked Alison Farmer Associates to review the document [REP5-199] and in particular the masterplans for Great/Little Waltham and Ingatestone/Buttsbury. We reproduce the conclusions here:

#### 7. Great & Little Waltham Constraints Plan

- The Constraints Plan does not present a comprehensive schedule of identified constraints. Several of the numbered points are not constraints at all, but describe elements of the proposed design or mitigation (for example, points 4 and 8). This blurs the distinction between existing environmental constraints and design responses.
- **Point 2** seeks to describe the visual effects on Great Waltham but omits an important heritage consideration. It fails to acknowledge that the proposed pylons would form a backdrop to Great Waltham when experienced from the wider Chelmer Valley and on approaches from the north. The statement that views are "largely filtered and screened by existing buildings and vegetation" considers only views from within the conservation area. It does not address the wider setting of the conservation area, the valued Chelmer Valley landscape, or the relationship between the valley, the village and the landmark Grade I church tower.
- **Point 9** states that the route seeks to avoid constraints "in accordance with Holford Rules 2 and 3". However, Holford Rule 2 requires routes, where possible, to minimise effects on the **setting** of areas of architectural, historic and archaeological interest, including Conservation Areas, Listed Buildings and Registered Parks and Gardens. The Constraints Plan appears only to consider avoiding direct impacts on designated assets rather than the wider effects on their setting. In our view, the alternative route to the east of Chelmsford would have better satisfied Holford Rule 2.
- Holford Rule 3 promotes the most direct route whilst seeking inconspicuous locations for angle change towers. It is unclear whether towers TB135, TB143 and TB144 are proposed as angle towers. In any event, their location cannot reasonably be described as inconspicuous, given their prominence in views across the Chelmer Valley, where they would form the backdrop to Great Waltham and its landmark Grade I church tower.

#### 8. Great & Little Waltham Opportunities Plan

It is understood that the Opportunities Plan sets out aspirational opportunities for enhancements and not mitigation. While this may be its intended purpose, there is no explanation of how the proposed measures relate to, or compensate for, the residual adverse effects of the scheme.

A clearer approach would be for the Constraints Plan to identify the residual effects following embedded mitigation, with the Opportunities Plan then demonstrating how proposed compensatory or enhancement measures address those effects.

It is also unclear:

- how realistic the proposed opportunities are;
- how they would be delivered in practice;
- who would be responsible for their implementation; and
- what long-term management and aftercare arrangements would be secured to ensure their establishment and ongoing effectiveness.

## 9. Ingatestone and Buttsbury

Similar comments apply to the Ingatestone and Buttsbury plans. Several of the numbered points describe characteristics of the proposed scheme or assertions regarding its limited visual effects (for example, that the undulating landform screens or filters views), rather than genuine environmental constraints. Consequently, there is no clear or transparent relationship between the identified constraints and the opportunities subsequently proposed. There is no mention of the setting of Buttsbury church and more open views from the east-west rights of way where the pylons would be seen on the skyline.

10. Also, the Constraints Plan notes are muddled and conflate mitigation and statements about effects. They do not highlight residual effects, and as a consequence, there is no logical justification for the enhancement and compensatory measures shown on the Opportunities Plans. This lack of transparency makes it difficult to judge whether the proposed opportunities are responding to the correct issues, and whether they are proportionate or capable of compensating the harm.
11. More generally, the Applicant states that "appropriate mitigation has already been incorporated into the Project development through route selection". The Parishes Group does not agree with this conclusion, as it considers that the alternative route to the east of Chelmsford would give rise to materially less harm. Consequently, the inclusion of broadly expressed enhancement or compensatory measures should not be relied upon to diminish the significance of residual adverse effects where those effects could have been substantially avoided through an alternative route selection.

## Local Observations

12. Finally, the Parishes Group has received the following detailed comments from local residents familiar with the local footpath (PRoW) network on a regular basis.
13. Appendix F - Great and Little Waltham
  - 13 PRoW are impacted and shown on the Constraints Plan, although they are not numbered/referenced.
  - Although item 1 makes reference to the PRoW within Langleys, those closer to the pylons are not.
  - Having walked these routes, the views from the Saffron Trail and the Essex Way would not be 'largely filtered by vegetation'.
  - Also views to the Project from within Great Waltham would not be largely filtered and screened by existing buildings and vegetation. A significant number of properties, the recreation ground and a number of PRoWs, look across and down to the body of water indicated. The opportunities for enhancements noted along the watercourse are not going to negate the views and height of the pylons.
  - This same principle would apply to Little Waltham, especially from the north of the village looking south.
  - In addition, the close proximity of the Langleys RPG and ancient woodland habitat are not going to be negated by 'enhancements along the watercourse'.
14. Appendix G - Ingatestone and Buttsbury
  - In Ingatestone & Fryerning and Margaretting Parishes, 8 PRoWs are impacted.

- Although Ingatestone (and its conservation area) are certainly a distance from the pylon line (with the railway line intervening), the north end of the village is however open to pylons TB187 to TB190, and the Opportunities Plan indicates nothing to enhance the landscape.
- The suggested tree and hedgerow planting and enhancements along the River Wid are unlikely to offer great benefits to those using Footpaths 4 and 40, Stock; 17 and 32, Mountnessing; and 41, Ingatestone and Fryerning. Nor would much benefit be provided for Ingatestone Hall and the properties along Ingatestone Road.
- In addition, the users of Footpaths 34, 37, 38, 39 and 45, Stock would be exposed to the full height of the 50m pylons. The undulating landform on the valley slopes and pockets of woodland and mature trees would not screen and filter some, if any, of the views towards the project.
- Item 8 on the Constraints Plan highlights the existence of a network of lanes and PRowWs within the River Wid valley. Although the valley is broad and shallow the line of 50m high pylons will be seen to stretch across this low-lying landscape.

## **Conclusion**

15. Based on the points raised above, the Parishes Group concludes that the mitigation measures outlined in [REP5-199] would have little, if any, positive effect in mitigating the harms arising from the Application. The Group also maintains its strong conviction that earlier stages of the Mitigation Hierarchy (particularly EN5, para. 2.10.1) have not been sufficiently pursued by the Applicant; and that this would be more effective in reducing the level of harm.