

Norwich to Tilbury Examination

Closing Statement by the North-West and South-West of Chelmsford Parishes Group

Introduction

1. 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. The Group's first preference is for Norwich to Tilbury (N2T) to be achieved by underground or offshore HVDC cabling. It fully supports the position taken by Pylons East Anglia Ltd. However, for simplicity and to avoid duplication, the Group's representations have focussed entirely on its other contention - that HVAC overhead lines (OHL) can be routed more effectively in the Chelmsford area than the Applicant proposes. The Group's case should be judged purely in this regard.

Summary of Case

3. That the Applicant has not fully considered alternative routes for OHL in the Chelmsford area, notably the 'east and south of Chelmsford alternative'; and the 'west of Great Waltham alternative'. The Applicant has made assertions about these alternatives, but they have not been backed up with robust evidence; and, in some cases, they contain errors and inconsistencies. The Group has carried out a detailed assessment of the options, informed by an independent landscape report, and concludes that the 'east and south of Chelmsford' corridor contains the optimal route. Therefore, the Group holds that the Applicant's case is currently insufficient to justify its Preferred Route and a full review of routing options around Chelmsford is needed.

Areas of Common Ground with the Applicant

4. By restricting its case to HVAC OHL alternatives, the Parishes Group has some areas of common ground with the Applicant. These are:

4.1 Strong starting preference for OHL

The Applicant has frequently referred to its understanding of its obligations under planning guidance. The Group's case respects this and does not propose undergrounding N2T – only undergrounding sections of a DNO 132kv line to make way for N2T. This is a much more cost-effective solution than undergrounding a 440kv line and the Applicant also proposes to do so in several places – notably Bramford.

4.2 Achieving the objects of the Application

The Application proposes reinforcement of capacity between Norwich and Tilbury by OHL (except in national designations, for crossing of existing lines etc, where undergrounding is proposed). The Group's proposals have the same objective, amending the route only in the Chelmsford area. They are therefore consistent with EN1 and EN5 planning guidance (such as EN1 para.s 4.3.22 4.3.28 regarding the nature and quality of potential alternatives).

5. Cost

5.1 Also, the Applicant agrees with the Parishes Group that the cost of the ‘east and south Chelmsford alternative’ is broadly similar to that of the Preferred Route, unless any extraordinary measures are required¹. This is to be expected, as the alternative is slightly shorter than the Preferred Route.

5.2 The ‘west of Great Waltham alternative’ is only slightly longer than the Preferred Route (1.36 or 2.03km, depending on which arm is followed²). The additional cost would clearly be minimal in terms of the Application as a whole.

6. Significant Effects of the Preferred Route.

The Alison Farmer Associates Landscape Report (the ‘AFA Report’) was commissioned by the Parishes Group. It sets out the key significant harms of the Preferred Route in terms of landscape/visual and historic environment setting. The Applicant now agrees that these harmful effects would be significant³. Its objections relate purely to perceived feasibility regarding the ‘east and south of Chelmsford alternative’; and perceived additional distance regarding the ‘west of Great Waltham alternative’.⁴ There appears to be no dispute between the parties about the significance of the harmful effects that would arise if the Preferred Route were followed.

Areas of Disagreement: Route Selection

Rejection of the ‘East and South of Chelmsford’ Alternative (Corridors L and Q)

7. The Parishes Group holds that the Applicant’s process for identifying the initial Preferred ‘Swathe’ was insufficiently robust and contained a number of omissions and inconsistencies. As such, it is not a sufficient basis for determining a preference in advance of consultation.
8. The Applicant’s process is recorded in the Corridor and Preliminary Routeing and Siting Study Report (CPRSS) of April 2022 and its appendices⁵. The Parishes Group has highlighted these deficiencies in the Explanatory Paper within its Written Representation (particularly in Section 5)⁶. In short:
 - Appendix D of the CPRSS contains the Topic Baseline assessments for the relevant corridor sections – F for this section of the Preferred Swathe; L and Q for the Alternative. These indicate a range of pros and cons for each corridor and there is insufficient evidence to support a conclusion that the Corridor L/Q combination should be ruled out.
 - The assessments are rather general and insufficiently granular as a basis for more detailed, local decisions in specific areas
 - There is insufficient consideration of Holford Rules 4 and 5 and topography/visibility
 - A lack of clarity in the CPRSS itself (though not in the Appendix) about the implications of protected bird habitats – given that no data had been collected on the ground at that stage – and there is a consequent assumption, not based upon measurably evidence, that ‘west is best’.

¹ The Applicant, [REP2-029], page 278; also see the CPRSS [APP-356], page 117 para. 7.5.27, which states the alternative would be £1M cheaper

² Parishes Group, [REP4-340], Great and Little Waltham – Consideration of Alternatives, para. 3

³ The Applicant, [REP7-481], page 77. See also the Applicant’s Response to ISH4 Action 13 [REP7-483] page 11 for a graphic illustration of the extent of significant effects

⁴ The Applicant, [APP-122], para.9.2

⁵ The Applicant, [APP-356] and Appendices [REP1-068]

⁶ Parishes Group, [REP1-261]

9. The Parishes Group holds that a key omission in the process is the lack of consideration of the opportunities for rationalisation with existing infrastructure. It is clear that ‘technical complexities’ referred to in the Appendix assume the presence of the DNO 132kv line, as well as the existing 440kv line⁷. Positive rationalisation opportunities, such as the chance to remove the 132kv line from the Chelmer and Blackwater Navigation Conservation Area and replace it with a N2T alignment that is better co-ordinated with the existing 440kv line, are also missed.
10. This omission is important as it indicates a lack of compliance in the process with the EN5 mitigation strategy at para.2.10, 3rd bullet. Rather than seeing existing infrastructure as an opportunity for ‘*rationalisation and reconfiguration*’ (EN5), the CPRSS sees ‘technical complexity’ as a constraint to be avoided by use of a greenfield option. That said, it is also notable that the CPRSS describes the technical issues as being a matter of ‘constraints’ and ‘complexities’ – not non-feasibility. (Please see para.s 21-26 below for a summary of our disagreement with the Applicant’s more recent claims in this regard.)
11. Finally with regard to technical matters, the Parishes Group also maintains that the Applicant could have considered, in its assessment of Corridor L, the scope for transposition instead of an underground crossing of the existing 440kv route. This is not a crucial disagreement between the parties, as the Group’s alternative route proposals work equally well with a crossing. Nonetheless, transposition can (depending on specific circumstances) be more cost-effective and would avoid the visual impact of the proposed end towers and sealing compounds in the sensitive landscape around Fairstead. The Applicant has raised some general objections to transposition⁸ but has not been able to say if they would apply in this case, admitting that no work has been done to investigate this option⁹. The Group believes this omission also indicates a lack of compliance with the EN5 mitigation strategy (para 2.10.5, 3rd bullet) by not fully examining the potential advantages for rationalisation.
12. In addition to issues regarding rationalisation opportunities, the Parishes Group also disagrees with the Applicant’s selection of the Preferred Route north and west of Chelmsford with regard to design, public amenity and soils.

13. Design – Holford Rules

The Group maintains that insufficient regard has been paid to Holford Rules 4 and 5, which relate to visibility and topography, and Rule 2 (please see para. 27 below for this point). In its representations, the Group has illustrated this in map form, showing that the significant sections of the Preferred Route follow elevated land (such as the eastern edge of the Pleshey Farmland Plateau) where visibility against the skyline is greatest¹⁰. The opportunity to follow the lowest-lying land in Chelmsford - the Chelmer Valley south-east of Chelmsford, with the wooded backdrop of Danbury ridge - is noted in the CPRSS¹¹ but not followed up in route selection. The benefits of this opportunity are clearly apparent, as the existing 440kv pylons in this area are only partially visible due to the wooded backdrop when looking east/south-east from the Boreham Interchange.

14. Public Amenity – Public Rights of Way (PRoWs)

The Group has assessed the impact of the Preferred Route on PRoWs and compared it with the impact of the ‘east and south of Chelmsford alternative’. This analysis is set out in its Written Representation and shows that the impact of the alternative would be less harmful, partly due to the current impact of

⁷ The Applicant, [REP1-068], Topic Baseline Overview for Section L

⁸ The Applicant, [REP4-298], page 242/3

⁹ The Applicant, [REP6-114], page 70

¹⁰ Parishes Group, [REP1-261] Explanatory Paper para. 4.2.3; and [REP3-101]

¹¹ The Applicant, [APP-356], para. 7.1.6

existing infrastructure. Either 16 or 32 additional PROWs would be impacted by the alternative (depending on which arm of Corridor L were used) compared to 65 impacted by the Preferred Route.

15. Soils – Impact on Grade 2 Best and Most Versatile Agricultural Land

The Group has also illustrated in map form that the Preferred Route would have a greater impact on Grade 2 land compared to the ‘east of south of Chelmsford alternative’ which predominantly falls on land assessed as Grade 3 or 4¹².

Alison Farmer Report (the AFA Report) and Other Landscape/Visual Issues

16. During the 2022 informal consultation and the 2024 formal consultation, parishes within the Group submitted reports by Alison Farmer Associates. These led on to the full AFA Report in 2025. The Group had intended to discuss these reports with the Applicant during the promised but aborted dialogue following the formal consultation. The Report highlights significant adverse effects from the Walthams in the north, through the west of Broomfield, around Writtle and Hylands, and down to the Wid Valley in the south. It then compares the Preferred Route with a ‘close parallel’ route within the ‘east and south of Chelmsford alternative’, concluding that the latter would result in fewer harmful effects.
17. During the course of the Examination, the Parishes Group has made a number attempts to seek the Applicant’s engagement with the AFA Report. Very recently, at Deadline 7, there has been a measure of engagement, with the Applicant agreeing that *‘there will be significant heritage and landscape effects, with potential for effects on landscape character, heritage assets, views including from long-distance walks’* arising from the Preferred Route¹³. The Applicant’s objection to the ‘close parallel’ route east and south of Chelmsford endorsed in the AFA Report seems to rest on technical grounds rather than any dispute about the harmful effects of the Preferred Route.
18. While this measure of agreement is welcome, it clearly comes too late to form part of the Applicant’s route selection process. The Parishes Group holds that a more rigorous, comparative assessment of the relative levels of harm (similar in scope and detail to the AFA Report) should have been conducted before final route selection. This would have enabled a reconsideration of the ‘technical complexities’ cited as reasons for rejecting the ‘east and south of Chelmsford alternative’ to see if they could be addressed, in the light of the emerging picture of significant harms emerging from the Preferred Route.
19. The Parishes Group considers that this is inconsistent with the spirit of EN5 para 2.10.1 (the first stage in the Mitigation Strategy). Whilst it is true that the Applicant initially considered a number of corridor options at high level, the process was not sufficiently robust; and there has been an inability or unwillingness for discounted options to be re-considered once the detail of harms arising from the Preferred Route became fully apparent.
20. Finally with regard to landscape/visual matters, the Parishes Group maintains its position that the evidence base of local landscape assessments (including for neighbourhood plans) has not been given due weight¹⁴. It is one thing to acknowledge the existence of such studies during the Examination, but that is not the same as using them to help reach the judgements made in the ES.

¹² Parishes Group, [REP1-261] Explanatory Paper, para 4.2.7

¹³ The Applicant, [REP7-481], page 77

¹⁴ Parishes Group, [REP3-102] and [REP5-260], para.s 9 - 11

Feasibility of the 'east and south of Chelmsford alternative' (Corridors L and Q)

21. This remains the most consequential disagreement between the Parishes Group and the Applicant. Whilst the CPRSS process identified a number of constraints and complexities with all the corridor options that it considered, it confirms that no corridor sections were identified as non-feasible in the EACS to Tilbury part of N2T¹⁵. Appendix D, Corridor L, notes complexities and that Section K (the Preferred Route) would be less complex, but it does not conclude that Corridor L is non-feasible (even assuming the continued presence of the DNO 132kv line). However, during the course of the Examination, the Applicant's position appears to have hardened, stating that '*in the Applicant's view there is no reasonable solution*' even with rationalisation and undergrounding of the 132kv line¹⁶.
22. The Parishes Group is not convinced, although we agree that selective undergrounding of the 132kv line would be required (at least between Boreham and Sandon), a mitigation which the Applicant has proposed for various sections of N2T. The reason for the Group's position is that the Applicant has not produced supporting evidence for its opinion, except in relation to Sandon.
23. The Group accepts that in Sandon the close proximity of a school, a UKPN substation and the settlement itself would make this precise alignment very challenging. However, the Group's proposals include the option of constructing the new 440kv line immediately to the east of the A12, thereby avoiding Sandon altogether.¹⁷
24. The Group holds that no convincing evidence has been presented for the broader claim that there is no feasible alignment in close parallel with the existing 440kv. It may be that the Applicant is defining 'close parallel' quite narrowly (perhaps as being within 100m of the existing 440kv line). However, this misunderstands the Group's position. Whilst there are sections where very close paralleling would be the best mitigation solution (e.g. in the Chelmer valley), there are others (such as Sandon) where a slight divergence would be more appropriate, while still remaining broadly in parallel.
25. The Group's proposals are presented in map form in our Written Representation. Maps 1a and 1b refer to the western arm of Corridor L and Maps 2a and 2b to the eastern arm, with Map 3 (Corridor Q) common to both¹⁸. They form detailed, carefully-considered proposals and contain a number of potential variations (as the Group was denied the opportunity to refine these down through discussion with the Applicant prior to submission). Clearly, to prove its case of non-feasibility, the Applicant would need to show that all the alignments (including the variations) were non-feasible and/or would lead to a greater level of harm than the Preferred Route.
26. The Applicant accepts that there are sections in Corridor L where close-paralleling is feasible but has declined to say which sections are and which are not, stating that '*we see no purpose to identifying parts where (a close-parallel) route is possible when this is not being taken forward*'¹⁹. This tends to confirm the Group's fear that Corridor L was dismissed at an early, high-level stage before a robust assessment of its feasibility was carried out; and that consequently the Applicant lacks the evidence to justify its opinion precisely because that evidence was never properly investigated. It would also appear to conflict with EN1, para 4.2.24 which requires applicants to '*demonstrate that all residual impacts are those that cannot be avoided, reduced or mitigated*' - in this case, avoided by use of an alternative route.

¹⁵ The Applicant, [APP-356], para. 7.5.2

¹⁶ The Applicant, [REP3-074], ALT1.6, page 72

¹⁷ Parishes Group, [REP1-261], Map1b, see Variation I - J

¹⁸ Parishes Group, [REP1-261]

¹⁹ The Applicant, [REP6-114], page 68

Rejection of the ‘west of Great Waltham alternative’

27. There appears to be general agreement about the sensitivities arising from the Applicant’s proposed use of a narrow gap between the Great and Little Waltham Conservation areas. Significant effects would occur within 1km of the OHL, affecting *inter alia* the conservation areas, numerous listed buildings and the Grade 1 registered park and gardens at Langleys. Great and Little Waltham must surely qualify as a ‘smaller area of high amenity value’ for the purposes of Holford Rule 2 and therefore should be avoided by deviating the N2T alignment (which can be done by the alternative without using too many angle towers). The Applicant has proposed use of low height pylons in recognition of the harmful effects, though this has led to other effects and has been partially retracted.
28. Clearly, there is merit in considering alternative routing and avoidance in order to comply with the Mitigation Strategy in EN5, para 2.10.1 and Holford Rule 2. The ‘west of Great Waltham’ alternative was apparently suggested to this effect during consultation in 2022 and is considered in Section 9.2 of the Design Development Report. The Applicant does not suggest in any way that it is non-feasible but rejects it primarily because of slightly greater distance.
29. The Parishes Group holds that the Applicant’s consideration of this alternative is very inadequate, for the reasons we have set out in our [REP4-340]²⁰. In summary, our main points are that:
- The map at Figure 9.2 suggests a very cursory and rather haphazard consideration of the optimal alignment;
 - Inaccuracy: the additional distance has been significantly overestimated;
 - Inconsistency: the Applicant’s broad comparison of the alternative with the Preferred Route indicates that the alternative would significantly reduce impacts on heritage settings and long distance routes, would sit in a less sensitive landscape and would avoid pinch points between settlements, but nonetheless the opposite conclusion is drawn;
 - Holford Rule 3: the alternative would contain fewer sharp changes of direction and consequent angle towers.

Conclusion

30. Both parties agree that the Preferred Route would give rise to significant heritage and landscape effects, with potential for effects on landscape character, heritage assets, views including from long-distance walks. In view of this and in keeping with the Mitigation Strategy set out in EN5, the Parishes Group holds that alternative routes in the Chelmsford area that were dismissed at the early stages of the Project should be re-examined.
31. The Parishes Group has examined the ‘south and east of Chelmsford’ and the ‘west of Great Waltham’ alternatives, finding no convincing reason for their rejection. As with all options, there are constraints and complexities in some places, but no evidence to indicate that these cannot be overcome.
32. The Group would therefore respectfully ask the ExA to require a re-examination of routes in the Chelmsford area, noting that this would not change the fundamental nature or aims of the Project, nor the work already carried out by the Applicant in other areas.

²⁰ Parishes Group, [REP4-340], Great and Little Waltham – Consideration of Alternatives