

28 September 2023 at 7pm

Council Chamber, Civic Centre, Chelmsford

Membership

Councillor C Adutwim (Chair)

and Councillors

P Clark, J Jeapes, B Massey, M O'Brien, G Pooley, E Sampson, T Sherlock, A Sosin, A Thorpe-Apps, N Walsh, R Whitehead, S Young

Local people are welcome to attend this meeting remotely, where your elected Councillors take decisions affecting YOU and your City.

There is also an opportunity to ask your Councillors questions or make a statement. These have to be submitted in advance and details are on the agenda page. If you would like to find out more, please telephone Dan Sharma-Bird in the Democracy Team on Chelmsford (01245) 606523

email dan.sharma-bird@chelmsford.gov.uk

Recording of the part of this meeting open to the public is allowed. To find out more please use the contact details above.

CHELMSFORD POLICY BOARD

28 September 2023

AGENDA

PART 1

Items to be considered when members of the public are likely to be present

1. Apologies for Absence

2. Declarations of Interest

All Members are reminded that they must disclose any interests they know they have in items of business on the meeting's agenda and that they must do so at this point on the agenda or as soon as they become aware of the interest. If the interest is a Disclosable Pecuniary Interest they are also obliged to notify the Monitoring Officer within 28 days of the meeting.

3. Minutes

Minutes of meeting on 29 June 2023

4. Public Questions

Any member of the public may ask a question or make a statement at this point in the meeting. Each person has two minutes and a maximum of 20 minutes is allotted to public questions/statements, which must be about matters for which the Board is responsible. The Chair may disallow a question if it is offensive, substantially the same as another question or requires disclosure of exempt or confidential information. If the question cannot be answered at the meeting a written response will be provided after the meeting.

Any member of the public who wishes to submit a question or statement to this meeting should email it to committees@chelmsford.gov.uk 24 hours before the start time of the meeting. All valid questions and statements will be published with the agenda on the website at least six hours before the start time and will be responded to at the meeting. Those who have submitted a valid question or statement will be entitled to put it in person at the meeting.

5. Norwich to Tilbury Powerline Proposals – Responses to Second Non-Statutory Consultation

6. Consultation on National Planning Reforms – Implementation of Plan-Making Reforms

7. Urgent Business

To consider any other matter which, in the opinion of the Chair, should be considered by reason of special circumstances (to be specified) as a matter of urgency.

PART II (EXEMPT ITEMS)

NIL

MINUTES
of the
CHELMSFORD POLICY BOARD
held on 29 June 2023 at 7:00pm

Present:

Councillor C. Adutwim (Chair)

Councillors P. Clark, B. Massey, M. O'Brien, G. Pooley, E. Sampson, T. Sherlock, A. Sosin,
A. Thorpe-Apps, N. Walsh, R. Whitehead and S. Young

Also present: Councillor I. Fuller

1. Apologies for Absence

No apologies for absence were received.

2. Election of Vice Chair

RESOLVED that Cllr Sosin be elected as Vice Chair of the Chelmsford Policy Board for 2023/24.

3. Declarations of Interest

Members were reminded that they must disclose any interests they knew they had in items of business on the meeting's agenda and that they must do so at this point on the agenda or as soon as they became aware of the interest. If the interest was a Disclosable Pecuniary Interest they were also obliged to notify the Monitoring Officer within 28 days of the meeting. Any declarations are recorded in the relevant minute below.

4. Minutes

The minutes of the meeting on 28 February 2023 were confirmed as a correct record.

5. Public Questions

No public questions had been submitted in advance of the meeting.

6. Strategic Housing and Employment Land Availability Assessment (SHELAA) – 2022-2023 Report

The Policy Board was informed that the SHELAA provided a high-level technical assessment of sites in Chelmsford promoted by developers and landowners. It identified a wide range of site characteristics; highlighted the opportunities and constraints that sites may face in; and established the likelihood of future site developability and deliverability. Its purpose was not to allocate land for future development; instead, the assessment technical outcomes were considered alongside other evidence base documents to enable members and officers to

make informed decisions on the policies and strategies needed and where to allocate future development. Officers informed the Board that an improved mapping facility would now be available once published, that allowed the user a much more interactive view of the sites than had been available in previous years. It was noted that the Board were being asked to note the report and approve it for publication.

[The Board were referred to a green sheet that had been circulated prior to the meeting with some updates to the published report.](#) These detailed an additional recommendation to allow the Cabinet Member for Growing Chelmsford in consultation with officers to settle the final detail and presentation of the document ahead of its publication. Page 493 of the document was also amended for Site CFS232 which had the incorrect classification under the Green Belt & Green Wedge criterion.

In response to questions from the Board, officers noted that;

- A clear glossary of terms would be beneficial for the reader and would be added into the document.
- Yield numbers did not indicate how many dwellings would actually be built on a site, but were just an indication of a maximum number using standard assumptions, without taking into account any policy aims or masterplans. It was noted that this could be made clearer in the document, but that it should be made clear by local Councillors if asked by residents, that the yield numbers did not represent the amount of dwellings that could actually be built if sites were ever allocated in the future.
- Officers had consulted on how the methodology would be produced and that at this stage it was mainly input from developers, with members of the public mainly interested at the local plan stage rather than this stage.
- Bookmarks would be added to the published document, to make navigation through it easier for the reader.
- The document presented a long list of all potential sites and it was key to remember that the document did not detail which sites would actually be used or not used in the future.
- A written response would be provided to the Board, regarding a specific query on yield classifications and how the figure in the table was reached.
- Sites were allocated a score of 5 if they were within a 400m walk of a public transport service. As this was the first step, it was important to remember, that this did not necessarily mean the offer of public transport was of a regular or high quality service. It was noted that details such as this would be looked at during the preferred options stage of the Local Plan.
- If a Local Authority did not have a Local Plan, then sites identified as 'green' in the RAG rating in the SHEELA would be likely to be developed, but in this instance, with the Council having an adopted up-to-date local plan, it remained as just a technical assessment.
- The document was updated annually and published on the Council's website, it presented technical evidence and the methodology used had gone through the consultation process.

RESOLVED that;

1. the Strategic Housing and Employment Land Availability Assessment (SHEELA) - 2022-2023 Report be authorised for publication and;
2. the Board delegate to the Director of Sustainable Communities, in consultation with the Cabinet Member for Growing Chelmsford and the Chair of the Policy Board, to

settle the final detail and presentation of the SHEELA 2022-23 Report ahead of its publication

(7.03pm to 7.46pm)

7. Urgent Business

There were no items of urgent business.

The meeting closed at 7.47pm

Chair



Chelmsford Policy Board

28 September 2023

Norwich to Tilbury Powerline Consultation – Response to the
Second Non-Statutory consultation

Report by:
Director of Public Places

Officer Contact:
Jeremy Potter, Spatial Planning Services Manager,
jeremy.potter@chelmsford.gov.uk 01245 606821

Purpose

The purpose of this report is to outline the Council's proposed responses to National Grid's second non-statutory consultation on the Norwich to Tilbury powerline proposals. The report summarises the consultation, the key proposals in so far as they impact on Chelmsford City Council's administrative area and provides a summary of the proposed consultation response, which is set out at **Appendix 1**.

Recommendation

To approve the consultation response set out in Appendix 1 for submission to National Grid. This follows agreement that the Council could submit its responses past the advertised 21 August 2023 consultation deadline.

Overall summary response

Chelmsford City Council (CCC) continues to strongly object to the proposals, as the project is still considered premature and not all the potential alternative options have been fully explored and assessed. Notwithstanding the objection in principle, **CCC also has very serious concerns** about the heritage and landscape impact of the proposed powerline alignment and design which have not been fully assessed and as such the selection of the draft preferred alignment is also considered premature.

1. Introduction

- 1.1 The Norwich to Tilbury powerline project, formally known as East Anglia GREEN, sets out proposals for approximately 183km long, 400kV new overhead electricity transmission line to be constructed. The new powerline would go through Norfolk, Suffolk and Essex connecting existing substations at Norwich Main in Norfolk, Bramford in Suffolk and Tilbury in Essex. The proposals are part of National Grid's 'Great Grid Upgrade' which proposes a significant overhaul of the electricity grid across England and Wales.
- 1.2 The project is a Nationally Important Infrastructure Proposals (NSIP) and as such, seeks planning permission through a Development Consent Order (DCO). These are submitted directly to the Planning Inspectorate and following a formal Examination, the relevant Secretary of State makes the final decision on whether planning permission should be granted.
- 1.3 This is the second non-statutory consultation on this project, following a previous consultation in 2022, and its purpose is to gain further feedback to inform the detailed proposals. The consultation period took place between 27 June and 21 August 2023. National Grid agreed a time extension for the Council to submit its comments to allow full consideration by members of the Policy Board.
- 1.4 This Board considered the first non-statutory consultation at its meeting on 14 July 2022. A consultation response was subsequently sent to National Grid – see links below to the [Policy Board Agenda on the 14 July 2022](#) and the final consultation response from the Council: www.chelmsford.gov.uk/media/gbmn02gf/non-statutory-consultation-response-to-east-anglia-green-powerline-july-2022.pdf
- 1.5 Rather than repeating the overall background, policy context and project overview for the proposals in this report, the Board is referred to the 14 July 2022 Policy Board report which provides this context. This report sets out a summary of the second non-statutory consultation in so far as it impacts on the Council's administrative area. It also provides a proposed consultation response attached at **Appendix 1**.

2. Background

- 2.1 Although there have been amendments to the detail of the proposals following the previous consultation, the latest proposals are substantively the same i.e. onshore powerlines following the same broad route as set out previously. The transmission line will consist mainly of conductors (wires) and steel lattice pylons, approximately 45-50m in height. A further area of undergrounding is proposed close to, but outside of the Dedham Vale Area of Outstanding Natural Beauty, north of Colchester. The Project Background Document provides a summary of the latest proposals.
- 2.2 The need for reinforcing the network has been reaffirmed in this second consultation. This identifies that the existing high voltage powerline network in East Anglia was largely developed in the 1960s to supply regional demand. Growth in offshore wind generation and interconnectors to Europe has seen a large increase in future planned connections. When combined with future levels of demand and further major offshore wind generation and nuclear projects, reinforcement is required to the network.
- 2.3 This second non-statutory consultation provides detail on the alignment of the actual preferred route of the powerlines, including the potential positions of the pylons. The first non-statutory consultation focused on a wider consultation corridor and what was described as a 'graduated swathe'.
- 2.4 To address comments submitted to the first non-statutory consultation in 2022 about alternative strategic options, a Strategic Options Backcheck and Review document has been produced to accompany this latest consultation. This document seeks to reaffirm the need for the project, assesses strategic options and appraises the powerline route sections to identify constraints and opportunities.
- 2.5 A Design Development Report has also been published which reviews the comments made specifically regarding the powerline consultation corridor in 2022. There is a section that deals with the design evolution of the project and sets out the reasoning for the preferred route alignment within the 2022 consultation corridor and in certain instances outside this corridor.
- 2.6 A more general consultation feedback document has also been published arising from the comments submitted to the 2022 consultation in addition to an updated Consultation Strategy. All of these documents are available on the National Grid project website at the address at:

www.nationalgrid.com/electricity-transmission/network-and-infrastructure/infrastructure-projects/norwich-to-tilbury/document-library

3. The Proposals within Chelmsford

3.1 The proposed powerline alignment continues to enter the Council's administrative area to the south of Great Leighs, before passing between Great and Little Waltham. It then continues around the western side of Broomfield, Chelmsford, Writtle, Margaretting and Stock.

3.2 The proposed alignment does now re-enter the Council's area east of Ingatestone and west of Stock, close to Buttsbury before exiting the Council's area between Brentwood and Billericay. These are identified as Section F and G within the consultation material. There is an interactive map that sets out the precise alignment and proposed pylon positions:

<https://experience.arcgis.com/experience/ba2cbd9ac64c4723847fae8637d50df3/>

3.3 This consultation identifies the following changes outside the preferred corridor that was subject to consultation in 2022:

- **West of Writtle** – the preferred draft alignment has been straightened and would deviate outside the 2022 corridor by 110m for a distance of approximately 400m. This change has been made to avoid historic landfill to avoid positioning pylons on unsuitable ground.
- **East of Ingatestone** – the preferred draft alignment would now pass further east of Ingatestone re-entering the Council's administrative area for approximately two kilometres close to Buttsbury west of Stock. This change has been made to reduce impacts on the Grade I listed Ingatestone Hall and St Giles Church.

3.4 This consultation identifies the following changes within the preferred corridor that was subject to consultation in 2022, but originally identified as less likely within the graduated swathe:

- **Between Chelmsford and Chignal Smealy** – the preferred draft alignment would pass to the east of Bushey Wood to increase distance from properties on Chignal Road.

3.5 The preferred alignment within the corridor has addressed matters raised previously by the Council and others such as avoiding crossing King Edward VI Grammar School sports pitches at Partridge Green, Broomfield and being more distant from Broomfield Hospital and helipad.

4. Summary of Proposed Consultation Response

- 4.1 The Council provided detailed responses to the 2022 consultation. These focused on whether all strategic options had been fully appraised, in particular the offshore option, and provided detailed comments on the route corridor. In the absence of strategic justification for the onshore option and the process of assessing the impacts for the onshore corridor through Chelmsford, the Council strongly objected to the principle because of prematurity and had very serious concerns about the impacts arising from the detailed proposals.
- 4.2 Following the publication of the second non-statutory consultation, the above objections and concerns remain. Therefore, the response set out at **Appendix 1**, resubmits all the previous comments made to the 2022 consultation as an annex.
- 4.3 In addition to these previous comments, the substantive proposed responses to the second non-statutory consultation on the principles of the proposals can be summarised below:
- Support for the transition towards a low or zero carbon economy in support of climate change and sustainability, including renewable energy production where these are appropriately located and can be suitably mitigated and are part of a strategic solution.
 - The proposed draft onshore alignment is premature ahead of decisions on strategic offshore transmission options and the Norwich to Tilbury proposals should be explicitly included with the future assessments of these offshore options.
 - Request for the evidence, including the National Grid's connection assumptions and timings from offshore windfarms, to demonstrate that the Norwich to Tilbury powerline proposals are required by 2030.
 - Confirmation that the inclusion of the Norwich to Tilbury proposals within an accelerated national investment programme does not effectively scope the project out of inclusion of as part of a future strategic offshore option.
- 4.4 Based on the above the proposed responses, the Council **continues to strongly object**, as the project is still considered premature as not all the potential alternative options have been fully explored and assessed.
- 4.5 Notwithstanding this objection in principle the proposed responses reasserts that the Council, **has very serious concerns** about the heritage and landscape impact of the proposed powerline alignment and design which have not yet been fully assessed and as such the selection of the draft preferred alignment is also considered premature.

4.6 Again, in addition to the detail comments submitted to the 2022 consultation, below are a summary of the additional or reinforced comments made to the latest consultation:

- The absence of detailed impact assessments, in particular Heritage Impact Assessments to identify the significance of individual and groups of designated and non-designated heritage assets and assess the impact, including cumulative impact on their significance.
- Once heritage significance and the impact of the proposals have been identified and assessed, then suitable mitigation measures need to be considered. This includes undergrounding, pylon design and landscape mitigation.
- Particular attention needs to be given to suitable mitigation where there are a concentration of designated heritage assets in close proximity to the proposed alignment e.g. the narrow and sensitive corridor between Great and Little Waltham.

5. Next Steps and Timetable

5.1 This is the second round of consultation on the Norwich to Tilbury powerline proposals. Subject to agreement of the Board, Officers will submit the consultation response following approval. National Grid will use the outcomes of the consultation alongside further evidence base gathering to develop the project further. A statutory consultation is planned in 2023 before the Development Consent Order (DCO) application is submitted to the Planning Inspectorate in 2025.

The current project timescales are as follows:

Stage	Timescale
First Non-Statutory Consultation	April – June 2022
Second Non-Statutory Consultation	June – August 2023
Statutory Consultation	2024
Environmental Impact Assessments	2024
DCO Application Submission	2025
DCO Examination and Decision	2025-2026
Construction	2027-2031

5.2 Officers will continue to work with National Grid as they develop their proposals and to collaborate with Essex County Council and other affected authorities.

List of Appendices:

Appendix 1 – Proposed Consultation Response

Appendix 2 – National Grid’s Preferred Route Alignment through Chelmsford

Appendix 3 – Preferred Route Alignment with 2022 Consultation Corridor

Background Documents:

National Grid – Norwich to Project Background Document 2023

National Grid – Strategic Options Backcheck and Review 2023

National Grid – Design Development Report 2023

National Grid – Consultation Strategy 2023

Corporate Implications:

Legal/Constitutional:

Chelmsford City council will be a statutory consultee for future consultations and DCO process. Failure to respond would reduce the Council’s ability to influence the development process and the legacy of planning decisions which could have an impact on its area.

Financial:

The cost of responding to the consultation has been in officer time although this is expected to be recouped through a Planning Performance Agreement with National Grid. The DCO submission and examination could involve significant officer-time so additional funding from the Councils’ own resources may be required to continue to effectively engage in the process. There could also be a need for legal support associated with the DCO examination. These costs are currently unknown.

Potential impact on climate change and the environment:

The proposal would facilitate the transmission of renewable and nuclear energy. As such it would contribute to reducing carbon emissions reliance on fossil fuels and provide energy security. The proposal is also likely to have an adverse impact on nature conservation, heritage and the local landscape. These would need to be assessed and adequately mitigated.

Contribution toward achieving a net zero carbon position by 2030:

To meet the Government's target of achieving net zero carbon emissions by 2050, the UK requires significant investment in new renewable energy generation. This proposal would contribute to meeting the UK's future need for low carbon energy and achieving target of net zero carbon by 2050.

Personnel:

The cost of responding to this consultation has been in officer time although this is expected to be recouped through a Planning Performance Agreement with National Grid. Additional officer time will be required to effectively engage in the process going forward.

Risk Management:

CCC risks not being able to influence the development proposals and the impacts it will have on its area and local communities if it does not respond to the consultation.

Equality and Diversity:

It is the responsibility of National Grid to satisfy itself that requirements for equality impacts assessments have been undertaken.

Health and Safety:

There are no Health & Safety issues arising directly from this report.

Digital:

There are no IT issues arising directly from this report.

Other:

None.

Consultees:

Economic Development and Implementation - Heritage

Public Health & Protection Services – Air Quality

Relevant Policies and Strategies:

The report takes into account the following policies and strategies of the City Council:

Chelmsford Local Plan 2013-2036 (Adopted on 27 May 2020)

Making Places Supplementary Planning Document, Jan 2021

Planning Obligations Supplementary Planning Document, Jan 2021

Statement of Community Involvement, 2020

Climate and Ecological Emergency Action Plan, January 2020

Norwich to Tilbury Powerline Project

Second non-statutory consultation June 2023

Response from Chelmsford City Council – September 2023

Overall summary response

Chelmsford City Council (CCC) continues to strongly object to the proposals, as the project is still considered premature as not all the potential alternative options have been fully explored and assessed. Notwithstanding the objection in principle, **CCC also has very serious concerns** about the heritage and landscape impact of the proposed powerline alignment and design which have not been fully assessed and as such the selection of the draft preferred alignment is also considered premature.

1. Context

- 1.1 This consultation follows a previous non-statutory consultation undertaken in the Spring of 2022 by National Grid Electricity Transmission Ltd (NGET). Following consideration by the Chelmsford City Council's (CCC) Policy Board in July 2022, a detailed response was submitted to NGET outlining strong objections and significant concerns relating to the proposed powerline project (previously named East Anglia GREEN).
- 1.2 For the avoidance of doubt, the matters raised in the CCC response to the 2022 non-statutory consultation are all still relevant to this latest consultation. This consultation response supplements those representations with further comments responding to the additional material contained within this second non-statutory consultation published in June 2023. For completeness, the previous consultation response from the City Council is attached at Annex 1 of this response and can also be downloaded from the link below:

www.chelmsford.gov.uk/media/gbmn02gf/non-statutory-consultation-response-to-east-anglia-green-powerline-july-2022.pdf

2 Principle of Proposals and Onshore Route

- 2.1 Despite providing detailed representations in response to the first non-statutory consultation, CCC are disappointed that rather than going back a stage to fully justify the need, test principles and assess impact and alternative options, this latest consultation seeks to confirm and retrospectively justify the proposals for the project and the preferred onshore route.
- 2.2 In response to the original lack of transparency of strategic options testing within the first consultation, the inclusion of a Strategic Options Backcheck and Review Document (June 2023) and Design and Development Report (June 2023) are helpful. Nevertheless, this new information does not provide sufficient

certainty about how much additional transmission capacity is needed and by when to fully evidence a strategic onshore proposal with a delivery date of 2030. This is of note, given the recent announcement that the Norfolk Boreas proposed offshore windfarm will now not be progressed. This does raise questions with NGET assumptions that 100% of the contracted offshore windfarms will need connections by 2030.

- 2.3 Regarding testing an offshore solution it only provides half the overall picture. It assesses a sea-link option as a straight alternative to the onshore route. What it does not do is assess strategic proposals for what effectively would be an 'offshore grid'. These are two different offshore options which are in danger of being conflated by those considering the consultation proposals.
- 2.4 CCC accept that National Grid have referenced more fully the Government's review of offshore coordination in this consultation. This includes National Grid ESO's Holistic Network Design (HND) report and the Offshore Transmission Network Review (OTNR). However, with the Norwich to Tilbury proposals included within the Government's Accelerated Strategic Transmission Investment programme (ASTI) for delivery by 2030, it appears that this will take it out of scope of the HND and OTNR.
- 2.5 The National Grid ESO commitment to an independent review of the outcomes of HND and OTNR to take a 'fresh look at the drivers for the network reinforcements in East Anglia....' would appear not to include the Norwich to Tilbury proposals as these have already been included in the ASTI to be delivered by 2030.
- 2.6 It is CCC's position that because national strategic offshore transmission projects and decisions have been slow or delayed, but consents for offshore windfarms have continued even in their absence, it leaves a position where an onshore electricity transmission solution is favoured by NGET in the absence of a deliverable alternative. The inclusion of the Norwich to Tilbury proposals within the ASTI have effectively scoped them out of inclusion within the HND. The result of this failure of strategic coordination leaves communities, landscape and heritage across East Anglia, including Chelmsford, blighted by the impact of onshore high-voltage powerlines.
- 2.7 In conclusion, it is CCC's position that work on the proposed draft onshore alignment is premature ahead of decisions on strategic offshore transmission options and the Norwich to Tilbury proposals should be explicitly included with the future HND assessments.

3 Detailed Comments on the Preferred Draft Alignment

- 3.1 Notwithstanding the above objection in principle, CCC has the following comments on the impacts of the proposals on its area and communities.
- 3.2 CCC are disappointed that despite the detailed comments provided in response to the 2022 consultation, no detailed impact assessments have been

undertaken to address heritage, landscape and biodiversity impact through CCC's administrative area to justify the preferred draft alignment. As stated at the beginning of this response, CCC reiterate the need to undertake these assessments as outlined in CCC's July 2022 response.

- 3.3 Two relatively minor changes within Chelmsford are referred in the consultation which affects the preferred draft alignment. The first a change to the alignment to the West of Writtle which is outside the 2022 preferred draft corridor. The second is a change in alignment between Newlands Spring and Chignal Smealy which is within the 2022 preferred draft corridor but in an area originally thought less likely to be suitable as shown in the graduated swathe. This is wrongly identified in the consultation as Woodhill Hall Road but is in fact Chignal Road.
- 3.4 In addition, there is a third change within CCC's administrative area to the east of Ingatestone which has been combined within changes within Brentwood and Basildon Council areas.
- 3.5 Changes have been made to the alignment within the 2022 preferred draft corridor. For example, the latest alignment now avoids crossing King Edward VI Grammar School sport pitches at Partridge Green and is more distant from Broomfield Hospital and its helipad. Both of these issues were raised by the CCC in responses to the 2022 consultation.
- 3.6 As part of the Design and Development Report (June 2023) which accompanies this latest consultation, NGET has considered previous consultation responses with regard to both the identified constraint pinch point between Great and Little Waltham affecting heritage assets and the Writtle to Margaretting section which effects Hylands House and Park.
- 3.7 In the case of the alignment between the Walthams, the Design Development Report (June 2023) assesses an alternative route to the north west of Great Waltham and south east of Pleshey to reduce potential heritage impact in the corridor between the Walthams. This alternative route was discounted as it would be less direct, approximately 2.5km to 3km longer and uses the Holford Rule 3 to justify this decision i.e. other things being equal, choose the most direct route. Reference is made to existing screening mitigating heritage impact on the preferred route between the Walthams.
- 3.8 With regard to the Writtle to Margaretting again the Design Development Report (June 2023) makes reference to existing woodland providing separation to Hylands House and Park. Alternative corridors have been considered between Writtle and Edney Common but again discounted primarily due to impact to Ancient Woodland and increasing residential receptors. The preferred alignment has been changed to the west of Writtle to avoid a historic landfill site south east of Newney Green and positioning pylons on unsuitable ground.
- 3.9 The changes to the section to the east of Ingatestone results in the preferred alignment routing back into Chelmsford close to the hamlet of Buttsbury. This is outside of the 2022 corridor and has been made to reduce the impact to Grade

I listed assets at Ingatestone Hall and St Giles Church (within Brentwood District).

Heritage and Landscape

- 3.10 It is CCC's position that both of the changes (Walthams and West of Writtle) have been made in the absence of detailed impact assessments. In the case of the alignment between the Walthams, NGET appear to have recognised that there is likely to be harm to the significance of heritage and landscape assets demonstrated by the consideration of re-routing the corridor. But instead of undertaking a heritage and landscape impact assessment to understand the nature and significance of this harm, an alternative route has been considered and then discounted for being too long and indirect.
- 3.11 In the case of the alignment corridor between the Walthams there are a significant concentration of designated heritage assets in close proximity:
- Grade I Listed Langleys and Registered Park and Garden
 - Grade I Listed Church of St Mary and St Lawrence
 - Ash Tree Corner Ancient Monument
 - Two Conservation Areas
 - 65 Grade II* and Grade II Listed Buildings within 1km
- 3.12 In the case of the Writtle of Writtle and East of Ingatestone sections, Hylands House is Grade II* with a Repton designed landscape designated as a grade II* Registered Park and Garden and numerous listed buildings including Coptford Hall Barn and the sensitive areas around the Grade II* Church of St Mary Stock (Buttsbury)
- 3.13 Non-designated heritage assets have not been considered in the assessment work to date. Given Chelmsford's rich historic environment and the fact that there was no listing resurvey, there are potentially many non-designated heritage assets of moderate-high value, which should be identified and the impacts on their settings fully considered. Likewise non-designated archaeological sites, locally listed buildings, protected lanes, designed and historic landscapes should also inform assessment work at an early stage.
- 3.14 The heritage issues set out above demonstrates that the selection of the preferred alignment is premature. Detailed heritage assessments need to be undertaken to understand significance and setting, key principles of making interventions in the historic environment, which are essential to underpin route selection. For the preferred alignment to be within 40m of the Langleys Registered Park and Garden and within the setting of Grade I Langleys House with no detailed heritage impact assessment to inform that alignment selection clearly demonstrates this prematurity.
- 3.15 CCC reiterate the request made at the previous consultation that detailed Heritage Impact Assessments (HIA) to assess heritage significance and comprehensive Landscape and Visual Assessment undertaken in accordance

with Guidelines for Landscape and Visual Impact Assessment (GLVIA3) are undertaken to inform the preferred route alignment and identify potential mitigation to address identified harm e.g. potential undergrounding of particularly sensitive lengths of the route, pylon design and landscape mitigation. Where harm is unavoidable other compensatory measures must also be considered.

- 3.16 NGET seem only to be considering alternatives to the standard 50m tall lattice overhead pylons where they transverse or affect the setting of a designated Area of Outstanding Natural Beauty (AONB) e.g. Dedham Vale to the north and west of Colchester. Given the lack of detailed heritage impact assessment and given the concentration of designated heritage assets, particularly within the pinch point between the Walthams, NGET should be assessing heritage impact and then considering and testing alternatives. Neither the Holford Rules nor the National Policy Statement for Electricity Networks Infrastructure (EN-5) preclude such an approach which could include consideration of undergrounding affected sections.

4 Summary

- 4.1 CCC supports the transition towards a low or zero carbon economy in support of climate change and sustainability, including renewable energy production where these are appropriately located and can be suitably mitigated and are part of a strategic solution.
- 4.2 CCC would like to see the evidence, including the NGET connection assumptions and timings from offshore windfarms, that demonstrate the Norwich to Tilbury powerline proposals are required by 2030.
- 4.3 CCC would like confirmation that the inclusion of the Norwich to Tilbury proposals within the Accelerated Strategic Transmission Investment programme (ASTI), does not effectively scope the project out of inclusion of the Holistic Network Design (HND) and National Grid ESO Review for consideration for a strategic offshore option.
- 6.8 Based on the above, **CCC continues to strongly object** to the proposals, as the project is still considered premature as not all the potential alternative options have been fully explored and assessed.
- 6.9 Notwithstanding this objection in principle, **CCC has very serious concerns** about the preferred alignment itself:
- The absence of detailed impact assessments, in particular Heritage Impact Assessments to identify the significance of individual and groups of designated and non designated heritage assets and assess the impact, including cumulative impact on their significance.
 - Once heritage significance and the impact of the proposals have been identified and assessed, then suitable mitigation measures need to be

considered. This includes undergrounding, pylon design and landscape mitigation.

- Particular attention needs to be given to suitable mitigation where there are a concentration of designated heritage assets in close proximity to the proposed alignment e.g. the narrow and sensitive corridor between Great and Little Waltham.

DRAFT

National Grid's East Anglia GREEN non-statutory consultation

Response from Chelmsford City Council

Overall summary response

Chelmsford City Council (CCC) strongly objects to the proposals, as the consultation is considered premature and all potential options have not been fully explored and assessed. Notwithstanding the objection in principle, **CCC also has very serious concerns** about the preferred route itself.

2. Context

- 4.4 The East Anglia Green Energy Enablement (GREEN) is a proposal for an approximately 180km long, 400kV electricity transmission line in East Anglia between existing substations at Norwich Main in Norfolk, Bramford in Suffolk and Tilbury in Essex. The line will also connect to a new substation in Tendring.
- 4.5 The proposal would comprise of mostly 45-50m high steel lattice pylons and conductors (wires) with some underground cabling through the Dedham Vale Area of Outstanding Natural Beauty (AONB).
- 4.6 The preferred route corridor affects the rural north and west of Chelmsford City Council's administrative area. The length of the preferred route that passes through Chelmsford is referred to as Section K in the [Corridor and Preliminary Routeing and Siting Study report \(CPRSS\)](#).
- 4.7 The following sets out Chelmsford City Council's (CCC) response to the Non-Statutory Consultation that ran from 21 April to 16 June to which CCC has been granted an extension to enable the Council's response to be considered by the Chelmsford Policy Board.

5 National Planning Policy Context

- 5.1 It is noted that the proposal is a Nationally Significant Infrastructure Project (NSIP) and will be subject to a Development Consent Order (DCO) under the Planning Act 2008.
- 5.2 The project would be assessed against relevant National Planning Policy Statements (NPS).
- Overarching National Policy Statement for Energy EN-1
 - Overarching National Policy Statement for Energy EN-5

5.3 Other documents, including, but not limited to the adopted Chelmsford Local Plan, may be material considerations to the Development Consent Order application.

6 Principle of the Upgrade

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

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

6.3 However, this does not mean that all proposals which may assist in reducing climate change should be approved at any cost. Each proposal must be considered in the context of its benefits weighed against its harms. If the harm is not deemed to outweigh the benefits, then CCC would consider it appropriate to object to the proposals.

6.4 CCC supports, where appropriate, locally generated capacity (e.g. domestic, community photovoltaic and wind farms) as alternatives ahead of reinforcing the National Grid.

6.5 CCC would like to see evidence of the need for the new transmission line to meet future capacity requirements and to see that full consideration is given to improvements, rationalisations, or extensions to the existing infrastructure before any new electricity line is proposed. CCC would expect that the first stage for National Grid is to reassess and update, if necessary, its future needs statement as the 2021 Electricity Ten Year Statement states that there is sufficient capability to meet today's needs.

6.6 Although physically within East Anglia, the need for the powerline reinforcement is a national issue and should be assessed as such. The Government's national energy policy is to focus wind power generation offshore and a significant proportion of that is located in the North Sea off the east coast. This results in powerline reinforcements needing to cross East Anglia which are essentially transmitting power through the region to boost supply in the national Grid for the whole country.

6.7 A co-ordinated approach is required across the region to assess the proposals and CCC is working with Essex County Council (ECC) and other impacted local authorities in the region on the proposal.

6.8 ECC's Place Services has provided a technical response on landscape, archaeology, heritage and ecology on behalf all the authorities. Their response is provided in **Appendix A** to this response and should be read alongside CCC's response.

7 Principle of the Preferred Route

- 7.1 If the need for the new transmission line can be robustly justified, CCC supports efforts to find an appropriate route subject to all possible options being fully appraised and explained.
- 7.2 However, it is CCC's view that the preferred route is not justified, and further detail is required to understand the assessment process that has taken place.
- 7.3 CCC is concerned that the project is presented ahead of both an updated Offshore Transmission Network Review and the latest Networks Options Assessment (due at the end of June). As such, this consultation is considered premature as these publications may provide evidence to inform both the need for reinforcement and of alternative options to an overhead transmission line.
- 7.4 The consultation is considered to be inadequate since only one option is being proposed with very limited information provided on other options not taken forward.
- 7.5 CCC would have expected to see fully considered proposals for alternative corridors including:
- a strategic offshore link;
 - an onshore route with underground cables in areas of high sensitivity.
- 7.6 Without these options, the consultation has missed the first step in engaging with a wider community on possible options for transmission and instead has already narrowed its focus to a single overhead powerline option (with the exception of undergrounding at Dedham Vale AONB).
- 7.7 CCC urges National Grid to carry out this wider options analysis and consult on all options, before any further detailed consideration is given to the overground option proposed.
- 7.8 CCC considers that there is no evidence to indicate that it will be technically unfeasible to transfer electricity from the coast, closer to its final destination with offshore High-Voltage Direct Current (HVDC) cables.
- 7.9 National Grid's [Offshore Coordination Phase 1 Final Report](#) 2020, states there are significant economic, social and environmental benefits in moving quickly to an integrated offshore network solution.
- 7.10 CCC is concerned that the potential for the use of offshore technology e.g. from Norwich to Grain does not appear to have been fully explored. This is in spite of the planned use of an offshore link between Sizewell and Richborough in Kent.

Whilst three of the discounted options in the consultation documents (East 9, 12 and 13) do include an offshore link from Norwich to Grain, they also include the overhead link between Bramford and Tilbury. It is not clear why both links are needed.

- 7.11 An alternative to the overhead powerlines could be a more extensive use of underground HVDC cables. However, undergrounding has been ruled out by National Grid solely on grounds of cost.
- 7.12 It is noted that an onshore undergrounding option was proposed between Necton and Tilbury (Option East 3). The reasons why this option was discounted has not been fully evidenced.
- 7.13 CCC would have expected to see more proposals for undergrounding cables along the preferred route. However, CCC does note that underground cables can also have significant landscape and environmental impacts as large swathes of land has to be cleared. The presence of the underground cable may also restrict how the land above it can be used in the future. EN 5 para 2.8.9 does not preclude the use of undergrounding outside of nationally designated sites for landscape importance such as National Parks and Areas of Outstanding Natural Beauty.
- 7.14 CCC questions whether overhead transmission lines are suitable in the long term compared with an offshore solution taking into account the anticipated impacts of climate change with more severe weather anticipated including strong winds and floods.
- 7.15 CCC strongly objects to the proposal at this stage given that it considers the consultation is premature and all potential options for transmitting electricity have not been fully explored and assessed.

8 Detailed Comments on the Preferred Route

- 8.1 Notwithstanding the above objection, CCC has the following comments on the impacts of the proposals on its area and communities.
- 8.2 The current preferred route is likely to cause damage to landscape and visual amenities, historic and nature conservation interests and residential amenities. It also has the potential to adversely affect future development expansion of the urban area of Chelmsford.

Current and Future Planned Development

- 8.3 It is understood that the proposed route will seek to avoid areas proposed or allocated for new development in Local Plans. National Grid will therefore be aware of proposed new strategic developments coming forward in North and West Chelmsford in the [adopted Chelmsford Local Plan 2020](#). These include:

- North of Broomfield, a residential-led development of around 450 new homes
 - Great Leighs, a residential-led development of around 1,000 new homes
 - West Chelmsford, a residential-led development of around 800 homes
 - North East Chelmsford, a new Garden Community for 3,000 homes and 45,000 sqm of new employment floorspace
 - North East Bypass, a single carriageway between Boreham and Great Leighs
- 8.4 CCC is concerned that the preferred route cuts through the North of Broomfield (SGS8) allocation and runs very close to the West Chelmsford (SGS2) allocation. It also crosses land reserved for Chelmsford North East Bypass which has recently been granted planning permission.
- 8.5 By routing the powerline corridor close to the western edge of Chelmsford's Urban Area, the proposed overhead line has the potential to adversely affect options for future growth of the city. This is especially important as growth in Chelmsford is already constrained to the south and west of the district, being located within the Metropolitan Green Belt.
- 8.6 CCC have started a review of the adopted Local Plan which will identify sites to accommodate growth requirements to 2041. More details are available on our [Local Plan Review page](#) which also contains the Council's Local Development Scheme. Overall, the area has significant development pressure, meaning that alternatives to the preferred route may be necessary.
- 8.7 Please also be aware that the proposed route is drawn adjacent to Broomfield Hospital Special Policy Area (Policy SPA 1 in Chelmsford Local Plan). The transmission line must not interfere with the emergency helicopter access to the hospital or with hospital equipment. The applicant is encouraged to liaise directly with the Civil Aviation Authority, the Hospital Trust and the Mid and South Essex Health and Care Partnership to discuss this issue.

Cumulative Impact

- 8.8 The route passes through an area subject to significant development pressures and as such cumulative impacts need to be considered as part of the proposals. This includes the Chelmsford North East Bypass, Radial Distributor Road 2 through Beaulieu and Channels, [Longfield Solar Farm](#), the [A12 Chelmsford to A120 widening](#) scheme, works to the Boreham Interchange, Chelmsford Garden Community and other sites allocated in Chelmsford Local Plan. The cumulative construction impacts of these developments also needs to be considered.
- 8.9 CCC would expect that the impact of the proposed transmission line be carefully considered in light of existing and proposed developments in their vicinity and not in isolation.

Landscape, Visual Amenity, Green Wedge and Green Belt

- 8.10 The preferred route passes through largely flat or shallow sloped rural landscape including River Ter, the Upper Chelmer, Can and Wid River Valleys, Pleshey, Writtle, Boreham and Terling Farmland Plateau and Heybridge Wooded Farmland.
- 8.11 The areas around the river valleys within or close to the urban area of Chelmsford are designated as Green Wedge. The preferred route runs adjacent to the northern edge of River Chelmer North which is part of the Green Wedge. The Green Wedge is a unique designation in Chelmsford and has a multi-functional role providing opportunities for cycling and walking as well as being a wildlife corridor. The rural area to the west and south of Chelmsford is designated as Green Belt, forming part of London's Metropolitan Green Belt.
- 8.12 The consultation materials state that there is a preference for the route to the west of Chelmsford rather than to the east to avoid interactions with existing 400kV and 132kV overhead lines and the sharp changes of direction that would be required south of Chelmsford to connect with Section K.
- 8.13 The pylons would be 45-50m high and are likely to appear as large scale industrial and intrusive features in the landscape.
- 8.14 The proposed route crosses many public rights of way including the north western edge of the Centenary Circle and Essex Way Public Right of Ways and would be visible in long, medium and short distance views.
- 8.15 The pylons would be permanent and unsightly features within a landscape which is currently not disrupted by anything of this scale. Due to the scale and height of the pylons, it would not be possible to screen them or mitigate against them. Further, any partial screening proposed will take a long time to take effect. The proposal would lead to a significant change in the character and appearance of the landscape.
- 8.16 The impact of the proposal will be exacerbated by the closeness of the transmission line to the built-up area of Chelmsford especially at Broomfield and the stretch proposed to be drawn between the villages of Great and Little Waltham which is a significant 'pinch point'.
- 8.17 The villages of Great and Little Waltham are both designated as Conservation Areas (see Heritage section). The preferred route will also run close to Hylands Park, Chelmsford's largest public open space which is a Repton designed landscape and Registered Park and Garden, with Hylands House Grade II* listed. As such and in accordance with EN-1 quoted above, considerable importance and weight should be given to the desirability of preserving the setting of such assets.
- 8.18 The consultation documents acknowledge that the area to the west of Little Waltham and Hylands Park are amongst the areas along Section K of the preferred route with the greatest potential for significant adverse visual effects.

- 8.19 Consideration should therefore be given to using underground cables in those locations and different types of pylons with less visual impact such as the new 'T' style pylons (which are much shorter and with a smaller footprint).
- 8.20 The Braintree, Brentwood, Chelmsford, Maldon and Uttlesford Landscape Character Assessment, 2006 provides a comprehensive Borough/District-wide assessment of landscape character and would provide a useful reference for an anticipated future Landscape and Visual Impact Assessment. A Green Wedges and Green Corridor study was prepared in 2017 to support the Chelmsford Local Plan. This should also be considered with specific reference to the River Chelmer North.
- 8.21 A comprehensive Landscape and Visual Assessment undertaken to GLVIA 3 will need to be undertaken as part of any proposal.
- 8.22 A detailed landscape and ecological mitigation plan should identify measures to avoid, reduce or remedy impacts on the landscape including spacing and location of pylons. These may include landscape buffer areas and the use of natural features such as hedges and/or trees to screen the development. Phasing is also important, as where woodland planting is required as a mitigation measure, early planting will allow quicker maturity and desired screening.
- 8.23 Regard will need to be had to the cumulative landscape and visual impact. More information about the impact and consequently the visual and landscape mitigation that is required is needed to fully understand the enhancements that could be made.
- 8.24 CCC considers that existing site features such as existing hedgerows and ecological features should be retained to maintain landscape character.
- 8.25 Additional technical comments on landscape considerations of the proposals, coordinated by Place Services, are given in Appendix A.

Heritage

- 8.26 Chelmsford has a diverse range of heritage, including Scheduled Monuments, Registered Parks and Gardens, Conservation Areas, Listed Buildings and Locally Listed Buildings and archaeological sites identified within ECC's Historic Environment Record. Within the rural areas there is proliferation of listed buildings dating from the fifteenth to the seventeenth centuries, reflecting the areas agricultural prosperity. These heritage assets often have a strong association with the rural landscape, which forms part of their setting and contributes to their significance. There are also a number of country houses within designed landscapes, who often rely on extensive planned views. There are also diverse archaeological sites, historic lanes and historic landscape features.

- 8.27 The various options, as indicated on the diagram on page 110 of the Routing and siting study report (April 2022), show alternative routes to the east of Chelmsford. The routing options were considered by the National Grid's consultant teams and the preferred route chosen based on environmental impacts and cost analysis. The criteria used for heritage is set out in table 3.1, where it is sought to avoid Scheduled Monuments and Registered Parks and Gardens, seek to avoid listed building by 50m and minimise within 100m and seek to minimise the impacts on Conservation Areas. The conclusion of the assessment was that all options would have adverse impacts on the historic environment, but the preferred route west of Chelmsford would avoid the direct impact of passing through the Chelmsford and Blackwater Navigation Conservation Area if the route passed to the east of Chelmsford and other impacts if it passed further east through Maldon District.
- 8.28 Whilst a number of consultant workshops are noted in the options document, it is unclear what evidence was used and how it was assessed, it is therefore difficult to judge if the preferred option corridor has the least impact on the historic environment. Further clarity should therefore be provided on the assessment of options.
- 8.29 The preferred route includes a graduated corridor (swathe) indicating the likely finalised routing. The scale of mapping does not give clarity on the precise route, so it is difficult to fully assess the proposals. Clearer mapping should be provided.
- 8.30 The preferred route passes through largely flat or shallow sloped rural landscape, the pylons and power lines would be 45-50m, which would appear as large scale industrial and intrusive features. This would have considerable adverse impacts on the setting of numerous heritage assets including an ancient monument, listed buildings, conservation areas and registered parks and gardens. Given the scale of the works it could impact on heritage assets for some distance away, several kilometres, more in certain circumstances.
- 8.31 The assessment criteria do not take account of historic landscape features, protected lanes, locally listed buildings or archaeological sites, which should also form part of future assessments. Historic landscapes often form part of the setting to listed buildings and locally listed buildings may have group value with other heritage assets, so the cumulative impacts need to be carefully considered. Detailed heritage assessments are required to fully understand, assess and mitigate the impacts.
- 8.32 It is important there is adequate land control as part of any scheme to allow adequate mitigation measures to be undertaken. For instance, the landscape character of Chelmsford was historically more wooded and the use of extensive woodland planting could be used to mitigate the impact on setting, but would require large areas to be effective. Phasing is also important, as where woodland planting is required as a mitigation measure, early planting will allow quicker maturity and desired screening.

8.33 The consultation documents indicate that standard above ground 45-50m high lattice pylons will be used through the route (other than for Dedham Vale AONB). The mitigation strategy is noted as:

Para 3.2.31 states 'For each relevant topic and where applicable, sub-topic, the appraisal considers the nature of identified receptors; receptor value and sensitivity to the Project; how a receptor may be affected by the Project; and whether such effects could be avoided or mitigated. Mitigation is considered in accordance with National Grid's mitigation hierarchy. The mitigation hierarchy is sequential, meaning that measures are not considered unless measures that precede them in the hierarchy have been considered first and deemed to be inadequate. The sequence in which measures should be considered is as follows:

- *careful routing;*
- *landscape mitigation planting;*
- *different lattice pylon design / conductor configuration;*
- *alternative pylon design (low height or T-ylon);*
- *reduction of 'wirescape' through distribution network rationalisation / undergrounding;*
- *reduction of 'wirescape' through transmission network rationalisation; and*
- *alternative technology (gas insulated lines, undergrounding).*

8.34 Spacing and location of pylons, mitigation measures and landscape restoration should also be considered. Enhancement opportunities should also be fully explored, for instance with existing lower voltage power lines routes below ground in the immediate setting of listed buildings, or heritage interpretation of historic landscapes and lanes, or a repair fund for heritage assets.

8.35 There are areas of clearly high sensitivity where more extensive mitigation will be required. This includes where there are groups of listed building close to the route. The route between Little Waltham and Great Waltham passes close by a number of heritage designations; the Ash Tree Corner Scheduled Monument, the Conservation Areas at both villages, the Registered Park and Garden and Grade I listed building at Langleys, the protected lane at Larks Lane and a number of other protected lanes and other listed buildings and non-designated heritage assets all of which gives a demand for a below ground mitigation option to be considered.

8.36 Regard will need to be had to the cumulative heritage impact.

8.37 Additional technical comments on heritage considerations of the proposals, coordinated by Place Services, are given in Appendix A.

Biodiversity

8.38 Chelmsford contains sites of international, national, regional and local nature conservation importance which we have a duty to protect. These include Sites of Special Scientific Interest (SSSIs), Ancient Woodlands, Local Nature Reserves and Local Wildlife Sites within or in proximity to the preferred route

corridor. These contribute towards local distinctiveness and need to be protected and enhanced.

- 8.39 The criteria used to assess impact on ecology is set out in Table 3.1 of the CPRSS document, where it is sought to avoid any nationally and internationally designated sites, Ancient Woodlands and SSSIs. Impact on local nature reserves should be minimised. There is no mentioning of Local Wildlife Sites (LWS).
- 8.40 The consultation documents conclude that Option ET1 was the preferred option from a biology and ecology perspective. It states that the main risks and constraints in section K arise from nationally designated sites with a reference to River Ter SSSI (in the north-east corner of Chelmsford, just outside the preferred route) as well as blocks of semi-natural woodland, outside the section. It also refers to several priority habitats identified across the section or adjacent including River Ter and Roxwell Brook.
- 8.41 The consultation documents conclude that there would be no direct effects on the River Ter SSSI or the Ancient Woodlands as they are outside the route. It goes on to say that given the importance and weighting in both planning and legal terms of such designated biodiversity and to Ancient Woodlands (in respect of potential indirect effects), they remain a potentially material constraint to development.
- 8.42 The consultation documents conclude that there is potential for permanent/temporary direct effects on Priority Habitats including loss of habitat, fragmentation and disturbance during construction. In operation there is potential for temporary indirect effects from maintenance visits, and limited risk of bird collision (though not for designated sites) given wetland habitats/streams in the vicinity.
- 8.43 Although the preferred route seeks to avoid SSSIs and Ancient Woodlands, CCC does not accept the findings of the consultation documents as presented above.
- 8.44 The site abuts the River Ter SSSI and a series of Ancient Woodlands. The document has missed an SSSI called Newney Green Pit which is in the middle of the route to the west of Writtle as well as three Ancient Woodlands which are located in the middle of the route namely Osbornes Wood near the southern boundary of the administrative area of Chelmsford and Bushy Wood and Sparrowhawk Wood to the west and north of Broomfield. These should have been avoided in accordance with the criteria in Table 3.1.
- 8.45 CCC is not convinced that the benefits of this project outweigh the harm that could be done to these assets and the proposal appears to be contrary to EN-1.
- 8.46 It should also be borne in mind that whilst River Ter SSSI is outside the preferred route, this SSSI has a very large Impact Risk Zone (IRZ). The applicant is urged to consult Natural England to seek advice on the nature of any impacts on River Ter SSSI and how they might be avoided or mitigated.

The route should also avoid Newney Green Pit SSSI and Natural England consulted on the impact on this SSSI.

- 8.47 All the nationally and locally designated sites next to or within the proposed route need careful consideration as they are protected and highly sensitive landscapes. This includes Local Wildlife Sites which should form part of future assessments. There are some Local Wildlife Sites adjacent to and some partly within the corridor including Border Wood Lake, Langleys Deer Park, Stonage Wood and Lowley's Farm Meadow.
- 8.48 Consideration should be given to the impact of the proposal on trees protected by Tree Preservation Orders and protected hedgerows.
- 8.49 More information about the impacts of the proposal and consequently the visual and ecological mitigation that may be required is needed to fully understand the enhancements that could be made. However, retaining existing site features such as existing hedgerows and ecological features is crucial to maintain landscape character and support biodiversity which should include a significant Biodiversity Net Gain in line with The Environment Act.
- 8.50 Regard will need to be had to the cumulative biodiversity impact.
- 8.51 Full ecological and arboricultural surveys will be expected as part of the Environmental Impact Assessment in relation to protected species.
- 8.52 Additional technical comments on ecological considerations of the proposals, coordinated by Place Services, are given in Appendix A.

Socio-Economics

- 8.53 The proposals do not appear to bring any direct socio-economic benefits to Chelmsford. Opportunities for community benefit from the proposals should be explored, for example, providing jobs to local people both during construction and operation. Any proposals should also support existing and planned growth in our existing and future employment areas such as in Chelmsford Garden Community. Consideration should also be given to how the new infrastructure could connect with new housing and employment allocations and to the provision of a local community fund to assist the wider community affected by the proposal.
- 8.54 The consultation documents state that there is potential for the proposed infrastructure within the route corridor to interact with various existing, or proposed, commercial and leisure land-uses (for example solar generation, sports grounds etc) within or in proximity to the corridor. Whether or not there is a material effect on such activities or land-uses depends on detailed routing and siting, and will also include consideration of potential mitigation and engagement with relevant parties. Affected parties may also be entitled to compensation, assessed in line with the Compensation Code.

- 8.55 The solar farm generation referred to in the consultation documents is Longfield Solar Farm as the northern edge of this proposed farm abuts the preferred route. CCC notes the DCO has now been submitted to the Secretary of State. King Edwards VI Grammar School's Sports Ground takes up the majority of the width of the preferred route. The preferred route also abuts one of the largest Rural Employment Areas in Chelmsford, Reeds Farm near Writtle. It also crosses a number of farms and runs very near a Writtle University College site.
- 8.56 CCC would urge National Grid to consider the routing and siting of pylons very carefully in the above locations. The transmission line will need to avoid any direct impacts on business.
- 8.57 National Grid will need to consider appropriate compensation packages for homes and businesses directly affected by both the construction works, and any long terms impacts.

Flood Zones/Rivers

- 8.58 The route crosses river Chelmer in the north and River Can and Wid and their tributaries in the west and south. The rivers and river beds are located within Flood Zone 3 and this needs to be considered with regards finding safe grounds for positing of pylons, its footing and maintenance.
- 8.59 The applicant is encouraged to liaise directly with ECC's SUDs team as well as the Environment Agency and be guided by their response.

Waste/Minerals/Landfill/Hazardous Substance Sites

- 8.60 The proposed route passes through a large hazardous substance site safeguarding zone near Newney Green. This is likely to be a former gravel pit and now contains two areas of hazardous waste, with a contaminated land category 4. The proposed route contains four additional large areas of contaminated land in the middle or on the edge of the proposed route as well as several small sites. The final route needs to be very carefully planned to avoid disrupting any of these sites.
- 8.61 CCC will be guided by Essex County Council on this matter, as the waste and minerals authority. The applicant may also need to liaise with HSE.

Soil, Geology and Water

- 8.62 It is noted that soils, geology and water have been scoped out at this stage on the basis that these topic areas were not considered to have a significant effect on the determination of the preferred route.
- 8.63 With regards to soil, an Agricultural Land Classification (ALC) should be undertaken of the route. The pylons should be sited so that they avoid the Best and Most Versatile Land.

8.64 Within the Chelmsford area, the preferred route runs through predominately Grade 2 and Grade 3 agricultural land. The applicant should demonstrate the impact of the proposal and apply a sequential approach to the siting of pylons and routing of the power lines.

Highways

8.65 There could be impacts on the local highway network from construction traffic, albeit short term during the construction phase. A Transport and Access Statement would be expected to consider the traffic impacts during construction and operation.

8.66 CCC will be guided by Essex Highways as a lead authority for this matter. This would also need to include consideration of any impacts on Public Rights of Way.

Noise/Air Quality/ Health/Residential amenity

8.67 It is not possible to make any judgements at this stage about how the construction or operational stage of the proposal might affect nearby residents living environments given that the exact route of the transmission line has not been defined and the lack of supporting evidence. It is acknowledged that during the construction phase, there will be periods when works are likely to be audible to nearby receptors.

8.68 CCC would seek to make sure careful consideration is given to the siting of pylons and overhead power lines near residential properties to minimise noise or health related issues both during construction and operation. CCC would expect to see more detailed assessments on these issues and the impacts of both overgrounding and undergrounding.

8.69 CCC has no comments from an air quality perspective at this stage regarding the proposed route. However, when further documents are issued in the future with environmental impact assessment and details about working practices, construction vehicle routes etc. then we may be able to provide comment.

9 Summary

9.1 CCC supports the transition towards a low or zero carbon economy in support of climate change and sustainability, including renewable energy production where these are appropriately located and can be suitably mitigated.

9.2 CCC would like to see the evidence to demonstrate that the proposed new reinforcement is needed beyond improvements, rationalisations or extensions to the existing transmission network.

9.3 CCC would like to see a focus on more locally generated sustainable power generation as well as a co-ordinated approach across the country to meet our

energy needs. The proposals are essentially about transmitting electricity supply across East Anglia to meet national energy demand.

- 9.4 Subject to the robust demonstration of need, CCC supports endeavours to find an appropriate corridor subject to all possible options being fully appraised and explained.
- 9.5 The consultation is considered to be inadequate since only one final option is being proposed with very limited information provided on other options not taken forward.
- 9.6 CCC questions the suitability of overhead transmission lines long term compared with an offshore solution taking into account the anticipated impacts of climate change.
- 6.7 CCC would have expected to see fully considered proposals for alternatives including:
- 1) a strategic offshore link;
 - 2) an onshore route with underground cables in areas of high sensitivity.
- 6.10 Based on the above, **CCC strongly objects** to the proposals at this stage as the consultation is considered premature and all potential options have not been fully explored and assessed.
- 6.11 Notwithstanding this objection in principle, **CCC has very serious concerns** about the preferred route itself:
- CCC is concerned that the transmission line may adversely impact potential future growth of Chelmsford which is already constrained by the Metropolitan Green Belt.
 - The transmission line must not interfere with emergency helicopter access to Broomfield Hospital or with hospital equipment.
 - Cumulative impact needs to be considered as part of the proposals such as the Chelmsford North East Bypass, Longfield Solar Farm, the A12 Chelmsford to A120 widening, Chelmsford Garden Community and other sites allocated in Chelmsford Local Plan and possible future extension to these amongst others.
 - The preferred route passes through largely flat or shallow sloped rural landscape. The pylons would be 45-50m high and are likely to appear as large scale industrial and intrusive features. This would have considerable adverse impacts on the landscape and on the setting of heritage assets.
 - There are areas of high sensitivity close to and between designated heritage assets where more extensive mitigation will be required. In such locations, underground cabling should be given serious consideration.

- The preferred route abuts River Ter SSSI and a series of Ancient Woodlands. There are also national and locally designated sites within the route which need careful consideration to minimise harm.
- The preferred route runs close to Longfield Solar Farm and across King Edwards VI Grammar Schools Sport's Ground. National Grid will need to consider appropriate compensation packages for homes and businesses directly affected by both the construction works, and any long terms impacts.
- The route crosses three rivers and their tributaries in the west and south, hence, this needs to be considered with regards finding safe grounds for positing of pylons, its footing and maintenance.
- The proposed route passes through a large hazardous substance site safeguarding zone near Newney Green as well as several contaminated land sites of various sizes. The final route needs to be very carefully planned to avoid disrupting any of these sites.
- The preferred route runs through predominately Grade 2 and Grade 3 agricultural land. The proposal should avoid the best and most versatile agricultural land.

6.12 The preferred route includes a graduated corridor indicating the likely finalised routing. More detail about the preferred route is required to fully understand the potential impacts and possible enhancements that could be made.

6.11 CCC urges National Grid to undertake and publish a range of detailed assessments prior to any submission of the DCO application. This includes but is not limited to reviewing the landscape and visual impact, impact on biodiversity, heritage, Agricultural Land Classification (ALC), impacts of noise and vibration, traffic and transport studies, cumulative impacts, socio-economic impacts and community gain.

Appendix A – Response from Place Services

The following response summarises the specialist views of Place Services' Archaeology and Historic Buildings Teams.

1.0 Archaeology (Richard Havis)

- 1.1 **General Comments:** At present the high-level assessment has only considered designated heritage assets without any assessment of the Historic Environment Record data. This information will need to be considered in advance of the final route decision and as part of any proposed application and EIA. The cropmark data held on the HER will be important in assessing the location for the route, and especially the sub-station in Tendring. With the majority of the route proposed as overhead lines careful assessment of the Historic Environment Record should allow much of the known below ground heritage assets to be protected.
- 1.2 The proposed undergrounding section, due to the destructive impact on surviving archaeological deposits, will require advance evaluation prior to submission of the DCO both in the form of geophysical assessment and trial trenching/bore hole assessment/palaeo-environmental assessment. As this area traverses a highly sensitive landscape which has been largely preserved from the medieval period, there is a high potential for both landscape features and below ground deposits to survive. Similarly, as this bisects the river valley there is a high potential for important palaeo-environmental deposits, as well as waterlogged deposits surviving in the valley.

1.3 Section Specific Comments:

The following table provides more specific comments by section:

Section	Comment
3.2.8	There is concern that the data retained within the Historic Environment Records has not been used to inform the constraint mapping. Any detailed design will need to include this detail.
3.3.7-8	This section identifies the fact that undergrounding has the potential for impact on archaeological deposits with the associated photos indicating the potential significant impact considering the land-take that is required. Large complex sites of heritage significance are frequently found on undergrounding projects and it is vital that these are identified as part of the initial phase of assessment so that an informed decision can

Section	Comment
	be made by the inspector. An understanding of the significance and complexity of the archaeological deposits is important to have at the time of submission so that a clear and robust mitigation or preservation in situ strategy can be agreed.
5.2.7	Although the large Scheduled Monument is identified at Ardleigh this fails to understand that the important cropmark complex extends much further than the scheduled area and that similar and potentially as important deposits are located within the vicinity of Ardleigh. A similar situation occurs in many areas within the Stour Valley.
5.5.4	There are concerns that the presence of extensive cropmark complexes may not have been taken into consideration for the undergrounding elements.
5.5.4	There is no consideration of below ground archaeological deposits and the destruction and finite nature of the archaeological deposits.
5.5.16 - 5.5.25	No mention is given of the significance of archaeological deposits destroyed or damaged by the undergrounding work.
5.5.26 and 5.5.27	In both cases the lack of assessment of the archaeological deposits/HER within this area is not identified. The loss of the archaeological deposits in this area will be a permanent impact.
6.5.5	There is no evidence that the consultants have assessed the data within the Historic Environment Record and historic environment impact seems to be restricted to where listed buildings are located.

2.0 Historic Buildings (Samantha Pace)

2.1 **General Comments:** Whilst the following Built Heritage Advice relates solely to the proposals which fall within Essex, the scheme should be considered holistically when developing the proposals to ensure a high-quality project which is sympathetic to the historic built environment.

The following advice is designed to inform the next steps in developing the proposals including the preparation of an Environmental Impact Assessment (EIA), and statutory consultations.

- 2.2 The EIA should include a Heritage Desk-Based Assessment (DBA), the objective of which is to identify all heritage assets which have the potential to be impacted by the proposals and which should therefore be taken forward for further assessment. A methodology for this should be provided and it is recommended that this is informed by *Historic Environment Good Practice Advice in Planning Note 12: Statements of Heritage Significance* and *Historic Environment Good Practice Advice in Planning Note 3: The Setting of Heritage Assets (Second Edition)*, which provides for a staged approach to proportionate decision-taking as follows:

Step 1: Identify which heritage assets and their settings are affected

Step 2: Assess the degree to which these settings and views make a contribution to the significance of the heritage asset(s) or allow significance to be appreciated

Step 3: Assess the effects of the proposed development, whether beneficial or harmful, on the significance or on the ability to appreciate it

Step 4: Explore ways to maximise enhancement and avoid or minimise harm

Step 5: Make and document the decision and monitor outcomes

- 2.3 In identifying which heritage assets and their settings may be affected (Step 1) it is recommended, given the scale and nature of the proposals, that a study area of 5km from the graduated swathe boundary is adopted. All heritage assets within this study area including Listed Buildings, Scheduled Monuments, Conservation Areas, Registered Parks and Gardens, and non-designated heritage assets should be identified.

- 2.4 The National Planning Policy Framework notes that the extent of a heritage asset's setting is not fixed and may change as the asset and its surroundings evolve. As such, heritage assets that are landmark buildings or buildings located on a higher topography may be situated outside of the study area but still require assessment. Therefore, it is recommended that a Zone of Theoretical Visibility (ZTV) is established. A ZTV overlaid with a Designations Map showing the location of all Listed Buildings, Scheduled Monuments, Conservation Areas, Registered Parks and Gardens, and non-designated heritage assets would be considered valuable in identifying those heritage assets which should be taken forward for further assessment.

- 2.5 Should it be determined that a heritage asset should be scoped out and not taken forward for further assessment, a clear and convincing justification for this should be provided.
- 2.6 Once all of the identified heritage assets which have the potential to be impacted by the proposals have been identified, the degree to which their settings and views make a contribution to the significance of the heritage assets or allow their significance to be appreciated, should be assessed (Step 2). This should seek to establish a heritage baseline for each asset.
- 2.7 The DBA should seek to demonstrate a sound understanding of historic use/land use and ownership, and identify which farm(s)/field(s) the heritage assets were historically and/or functionally associated with, in order to fully assess the impact of the proposals on the historic, architectural, and associative value of the heritage assets.
- 2.8 Furthermore, the views from and to each heritage asset should be carefully considered. The following would be considered valuable in establishing a heritage baseline:
- A ZTV overlaid with a Designations Map and a Viewpoint Location Plan, naming all Listed Buildings, Scheduled Monuments, Conservation Areas, Registered Parks and Gardens, and non-designated heritage assets
- 2.9 The methodology for the views and visual representations should be in accordance with the Guidelines for Landscape and Visual Impact Assessment (GLVIA3) and guidance notes provided by the Landscape Institute. It is further recommended that views be undertaken during winter months at a minimum, to reflect and consider the 'worst case scenario.' All viewpoints should be consulted and agreed.
- 2.10 The following publications and advice notes from Historic England are also useful guidance:
- Historic Environment Good Practice Advice in Planning 2: *Managing Significance in Decision-Taking in the Historic Environment*
 - Historic Environment Good Practice Advice in Planning Note 3: *The Setting of Heritage Assets – (Second Edition)*
 - Historic England Advice Note 7: *Local Heritage Listing – Identifying and Conserving Local Heritage (Second Edition)*
 - Historic England Advice Note 10: *Listed Buildings and Curtilage*
 - Historic Environment Good Practice Advice in Planning Note 12: *Statements of Heritage Significance*
- 2.11 Any heritage assets which are identified as being potentially impacted by the proposals should be taken forward for further assessment during

which the effects of the proposed development, whether beneficial or harmful, on the significance of the heritage asset or on the ability to appreciate it, should be assessed (Step 3).

- 2.12 The third stage of any analysis is to identify the effects a development project may have on settings and to evaluate the resultant degree of harm or benefit to the significance of the heritage assets. Again, the guidance provided in *Historic Environment Good Practice Advice in Planning Note 3: The Setting of Heritage Assets (Second Edition)* should inform the methodology for analysis.
- 2.13 Given the scale and nature of the proposals, it is recommended that the evaluation extend to include an assessment of cumulative impacts which may arise from other large-scale developments or similar schemes. Furthermore, complex impacts arising from the development which may not be solely visual should also be assessed.
- 2.14 Once the extent to which heritage assets are impacted by the proposals, through change within their setting, is fully understood, ways to maximise enhancement and avoid or minimise harm should be explored (Step 4). There may be design amendments which could mitigate any identified harm, and these should be carefully considered.
- 2.15 Should the proposals result in residual 'less than substantial' harm, despite mitigation efforts, then paragraph 202 of the NPPF would be a relevant consideration and the Local Planning Authority is required to make a balanced judgement between the level of harm and the public benefits.
- 2.16 Paragraph 199 should also be considered as this gives great weight to the conservation of heritage assets, as well as the statutory duty of Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 under which local planning authorities should have special regard to the desirability of preserving the settings of listed buildings and the character and appearance conservation areas.

3.0 Landscape (Ryan Mills)

- 3.1 East Anglia GREEN is a proposal by National Grid Electricity Transmission (National Grid) to reinforce the high voltage power network in East Anglia, in order to meet future energy transmission demands. The proposals relate to several districts between South Norfolk and Tilbury, Essex.
- 3.2 Whilst the following Landscape Advice relates solely to the proposals which fall within the counties of Essex and Suffolk, the scheme should be considered holistically when developing the proposals to ensure a high-quality project which is sympathetic to the natural environment. The following advice is designed to inform the next steps in developing

the proposals including the preparation of an Environmental Impact Assessment (EIA).

3.3 Current route and design

We have reviewed the Corridor and Preliminary Routeing and Siting Study Report and appendices as well as the Public Consultation Strategy (all National Grid, April 2022). This provides comments on the North East Anglia connection (Norwich to Bramford) and the South East Anglia connection (Bramford to Tilbury). We also note the references to the Overarching National Policy Statement for Energy – EN1 and EN5, which references landscape and visual factors

3.3.1 We note that the routeing constraints in Tables 3.1 and substation siting constraints only refer to nationally designated sites and residential properties. However, we recommend that locally designated sites and similar e.g. Special Landscape Areas are also included as mapped landscape and visual constraints. It would also be beneficial for valued landscape qualities for landscape character areas to be analysed as these would be particularly useful in ensuring landscapes outside of designations are appropriately reviewed and impacts minimised as far as practicably possible by routeing revisions, design optioneering and mitigation measures.

3.3.2 Para 3.2.10 states that the potential to route parallel in close proximity to existing 400kV overhead lines is a principal opportunity and would restrict the geographic extent of environmental effects associated with such infrastructure. Earlier indications of the proposed power line corridor showed this was the case, however, under the new proposals, a large section of the new overhead lines will be distanced from the existing line, introducing landscape visual impacts in areas where the baseline landscape has not yet been affected by electricity infrastructure. We note that the Holford and Horlock rules have been used as a guide to routeing and siting of new infrastructure, however we would advise further details on the existing constraints are provided to justify the new routeing proposals.

In addition, given the new route alignment, we would recommend alternative designs such as T-Pylons across the Essex region are explored to mitigate the visual impact of transmission infrastructure.

3.3.3 The location of Cable Sealing End (CSE) compounds and proposed substations must not only be carefully considered in terms of impacts on visual amenity and landscape character, but also in regard to the setting of the AONB. The Dedham Vale AONB Position Statement (revised Nov 2016) states that “The setting of the Dedham Vale AONB does not have a geographical border. The location, scale, materials or design of a proposed development or land management activity will determine whether it affects the natural beauty and special qualities of

the AONB. A very large development may have an impact even if some considerable distance from the AONB boundary.” and “Adverse impacts might not be visual. The special qualities of the Dedham Vale AONB include tranquillity. A development which is noisy may well impact adversely on tranquillity even if not visible from the AONB.” It is therefore considered that different locations of CSE compounds at extended distances from the AONB are explored to fully understand impacts on setting and natural beauty.

- 3.3.4 We also highlight that any undergrounding in visually sensitive areas such as AONBs, may result in increased landscape impacts from trenching and construction of Cable Sealing End (CSE) compounds and we would expect a full audit of the landscape features and habitats on site to be undertaken to inform the alignment and mitigation proposals.
- 3.3.5 The National Grid’s Landscape Enhancement Initiative, which is part of the Visual Impact Provision project, is very much relevant to the AONB area. However, we would advise a similar framework approach is applied to the project as a whole given the evidence available that demonstrates the overall sensitivity of the landscape. Therefore, the extant and rationale for offsite planting and landscape improvement works should align with this initiative.
- 3.3.6 To help reduce adverse landscape and adverse impacts along the proposed route, we would recommend that strategic opportunities are taken to rationalise and upgrade/remove the existing 132kv lines where possible.

3.3.7 Norwich to Bramford – Sections C-E

As noted in Recommendation no.1, other landscapes outside of nationally designated landscapes should be appropriately analysed and the route designed accordingly. The Draft NPS EN-1 (Para 2.11.20) states “The Secretary of State should also have special regard to nationally designated landscapes, where the general presumption in favour of overhead lines should be inverted to favour undergrounding. Away from these protected landscapes, and where there is a high potential for widespread and significant landscape and/or visual impacts, the Secretary of State should also consider whether undergrounding may be appropriate, now on a case-by-case basis, weighing the considerations outlined above.”

Therefore, we would advise that a detailed assessment of other valued landscapes such as the Waveney Valley and Gipping Valley are undertaken and in turn National Grid considers additional undergrounding in these areas.

3.3.8 Bramford to East Anglia Connection (EAC)

The landscape south of the AONB contributes towards its setting and therefore careful consideration for the route and design need to be taken. We note that the landscape around Lawford and the proposed substation location is an open and exposed plateau with a low density and rural settlement pattern, therefore any changes to the skyline in the form of multiple pylons may have detrimental impacts on both character and visual amenity. Currently the proposed routes to and from the EAC are proposed as overhead pylons, however given the pylons will be seen in combination with each other, the potential impacts could be significant. For this reason, we would recommend National Grid explore options to continue the proposed undergrounding through the AONB, to the EAC.

- 3.3.9 The landscape response to cumulative impacts at and around the Bramford Sub-station needs to be carefully considered. Currently there is a number of live and upcoming applications in and around the Bramford area of an industrial character, that will have a detrimental impact on the landscape and Bramford as a settlement. Mitigation measures such as the reinforcement of historic field boundaries, restoring and planting hedgerows, as well as increasing the stock of hedgerow trees are important measures to consider on site.

We would expect preliminary consultations on other national grid schemes to be provided at the earliest opportunity to allow us to understand the cumulative impacts and assess whether there are opportunities for cumulative mitigation measures both on and off site.

3.4 Next Steps

The National Planning Statement (NPS) EN-1 Section 5.9 also sets out recommendations and requirements in relation to landscape and visual impact. These are detailed below in *italics*:

The landscape and visual assessment should include reference to any landscape character assessment and associated studies as a means of assessing landscape impacts relevant to the proposed project. The applicant's assessment should also take account of any relevant policies based on these assessments in local development documents in England (NPS EN-1 Para 5.9.5).

- 3.5 In Suffolk, the primary source of information for the landscape baseline is the Suffolk Landscape Character Assessment, which has informed the district level BMSDC Landscape Guidance (2015) and the Managing a Masterpiece LCA.

On this basis it is recommended that the Suffolk LCA provides the overarching framework for the baseline study, with further reference to the BMSDC Guidance and Managing a Masterpiece Study for localised

details on local character and cultural heritage within the AONB and the Stour Valley project area.

3.6 In Essex, the primary sources of information for the landscape baseline include [but are not limited to]:

- Essex Landscape Character Assessment (Chris Blandford Associates, 2003);
- Braintree, Brentwood, Chelmsford, Maldon And Uttlesford Landscape Character Assessments (Chris Blandford Associates, 2006);
- Tendring Landscape Character Assessment Volume 1 and 2 (LUC, 2001); and
- Land of the Fanns Landscape Character Assessment (Alison Farmer Associates, 2016)

On this basis it is recommended that the Essex LCA provides the overarching framework for the baseline study, with further reference to the District level assessments. That said, given most of the baseline documents are now over 15 years old, we would recommend National Grid consider undertaking a review/update of the LCA / Detailed Landscape Characterisation Study to help inform the routing and design options for the new network, as well as landscape mitigation and enhancement measures.

“The applicant’s assessment should include the effects during construction of the project and the effects of the completed development and its operation on landscape components and landscape character” (Para 5.9.6).

3.7 GLVIA3 recognises that landscape value is not always signified by designation: ‘the fact that an area of landscape is not designated either nationally or locally does not mean that it does not have any value’ (paragraph 5.26).

3.8 In determining landscape value, TGN 02-21 ‘Assessing the Value of Landscapes Outside National Designations’ has recently been published and builds on the details within GLVIA3 and the assessment of value (GLVIA3 Box 5.1).

3.9 For instance, Table 1 of the TGN provides a range of factors that can be considered when identifying landscape value. This includes the incorporation of cultural associations (natural heritage and cultural heritage) into consideration of landscape value, which is greatly supported.

“National Parks, the Broads and AONBs have been confirmed by the Government as having the highest status of protection in relation to landscape and scenic beauty (Para 5.9)

... consideration of such applications should include an assessment of:

- *the need for the development, including in terms of national considerations, and the impact of consenting or not consenting it upon the local economy;*
- *the cost of, and scope for, developing elsewhere outside the designated area or meeting the need for it in some other way; and*
- *any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.” (Para 5.10)*

3.10 It would be expected that the following reference/guidance documents are considered and used as part of any future assessment. This includes:

- Dedham Vale AONB and Stour Valley Management Plan
- Dedham Vale AONB Natural Beauty and Special Qualities and Perceived and Anticipated Risks (July 2016)
- Managing a Masterpiece Evaluation Report (Dec 2013)
- Valued Landscape Assessment Stour Valley Project Area (March 2020)

4.0 Ecology (Sue Hooton)

4.1 Current route and design

We have reviewed the Corridor and Preliminary Routeing and Siting Study Report and appendices as well as the Public Consultation Strategy (all National Grid, April 2022). This provides comments on the South East Anglia connection (Bramford to Tilbury) including a new East Anglia Connection substation.

4.2 We note that the routeing constraints in Tables 3.1 only refer to statutory designated sites and we strongly recommend that non-statutory designated sites e.g. LoWS are also included as mapped ecological constraints although many are ancient woodland, an irreplaceable habitat. We welcome that the substation siting constraints in Table 3.2 include Priority habitats but again recommend that non-statutory designated sites e.g. LoWS are also included to avoid significant ecological impacts as this could trigger the need to deliver compensatory habitat.

4.3 We highlight that any undergrounding in visually sensitive areas such as AONBs, may result in increased ecological impacts from trenching and construction of Cable Sealing End (CSE) compounds and we are willing to be involved in fine tuning the locations and methodologies, with site visits as considered appropriate.

- 4.4 We appreciate that the details for ecological survey & assessment for protected and Priority species likely to be present in the Preferred Corridor and would be affected, will come at a later stage.
- 4.5 We note that if any ecology constraints are scoped out of the Options Appraisal, they would still be covered in the Environmental Statement for assessment.
- 4.6 Bramford to East Anglia Connection (EAC)
We understand that the route in this section, as well as the substation site, will need to fit in with other projects e.g. Bramford to Twinsted NSIP, and we would welcome the opportunity to input local knowledge to this element of the project.
- 4.7 We note that para 5.5.3 recognised that from a Biodiversity and Ecology perspective, Options BE1 and BE2 were considered to perform more poorly than other options due to the potential for a Likely Significant Effect (LSE) on the Stour and Orwell Estuaries SPA and supporting Cattawade Marshes SSSI (which forms part of the SPA). We welcome this as NPS- EN5 states that particular attention will be needed to minimise the likelihood of large birds such as swans and geese colliding with overhead lines associated with power infrastructure particularly in poor visibility.
- 4.8 We recommend that crossing the Suffolk/Essex county boundary needs careful consideration as Swans are a qualifying feature of the Stour & Orwell Estuaries SPA which includes Cattawade Marshes SSSI. We highlight that this would trigger a requirement for a shadow HRA screening report to assess impacts from EA GREEN, either alone or in combination with other plans and projects.
- 4.9 We note that, overall, western options (Options BE3 and BE4) are preferred from a Biodiversity and Ecology perspective as they would not be likely to result in LSEs on these designations. However, with the exception of Option BE3, which contains (though does not route through) the Hintlesham Great Wood SSSI, all options avoid smaller areas of high amenity value or scientific interest (Holford Rule 2). Whilst Options BE3, BE4 and BE5 do contain more areas of woodland than the other options, the corridors are considered to be of sufficient width to allow the identification of alignments which would avoid such woodland. We agree that further work is required as part of the detailed routeing process to refine an alignment to comply with this rule as far as possible. Whilst more westerly options are preferred from a Biodiversity and Ecology perspective, Option BE5 is assessed to have the least potential of those that pass through the Dedham Vale AONB to have potential for effects resulting in LSEs on the designations of the Orwell Estuaries SPA and Cattawade Marshes SSSI (part of the above SPA).

4.10 Based on the information provided, we support the graduated swathe for Bramford to EAC based on **Option BE5 is the preferred option.**

4.11 EAC

We note that from an Ecology and Biodiversity perspective in relation to the siting of the substation, all the siting option zones were considered comparable when applying standard best practice mitigation measures. With regard to the 400kV overhead lines, all corridors were assessed as neutral, and could support a route alignment, subject to appropriate and localised mitigation hierarchy mitigation and habitat reinstatement.

4.12 Based on the information provided, we support **Zone A as the preferred option for the EAC.**

4.13 We understand that the substation site will need to fit in with other projects e.g. Five Estuaries and North Falls NSIPs, and we would welcome the opportunity to input local knowledge to fine tuning this element of the project to confirm a location with the chosen siting zone around the existing substation.

4.14 EAC to Tilbury

We note that Abberton Reservoir SPA falls wholly within the Study Area (it is surrounded) and is included for the same reason. Species dependant on these designated areas may forage, roost or migrate (on a daily and/or seasonal basis) on non-designated habitats surrounding the designations or further inland.

4.15 We also note that from a Biodiversity and Ecology perspective, corridor options composed of sections furthest from the coast (Sections F, G, H, J, K and R) are preferred from the EAC substation to Tilbury. These corridor options are not likely to result in adverse effects on the integrity of internationally designated sites, or at the very least present significantly less risk in respect of Likely Significant Effects (LSEs) on the integrity of the international and supporting nationally designated sites. The relevant sites are listed below:

- Section N (Colne Estuary SPA, Colne Estuary Ramsar, Colne Estuary SSSI, Blackwater Estuary SPA, Blackwater Estuary Ramsar, Blackwater Estuary SSSI, Essex Estuaries Special Area of Conservation, Abberton Reservoir SPA, Abberton Reservoir Ramsar and Abberton Reservoir SSSI);
- Section P (Blackwater Estuary SPA, Blackwater Estuary Ramsar, Blackwater Estuary SSSI, Essex Estuaries SAC Essex Estuaries (and component SSSIs); and
- Section S (Crouch and Roach Estuaries SPA, Crouch and Roach Estuaries Ramsar, Crouch and Roach Estuaries SSSI, Benfleet and Southend marshes SPA, Benfleet and Southend Marshes Ramsar (and component SSSIs), Thames Estuary and Marshes SPA,

Thames Estuary and Marshes Ramsar (and component SSSIs), Outer Thames Estuary SPA, Outer Thames Ramsar , SAC Essex Estuaries SAC and Blackwater Estuary SPA, Blackwater Estuary Ramsar , Blackwater Estuary SSSI and Pitsea Marsh, Langdon, Vange & Fobbing Marshes, Holehaven Creek Mucking Flats and Marshes SSSIs).

- 4.16 These designated sites (which include highly mobile qualifying interest features) and functionally linked habitats, are sufficiently close to the corridor options east of Colchester and which are close to the coast, to mean that direct or indirect effects would result in LSEs on the integrity of the designated sites. In addition, these corridor options cross potential connectivity pathways to the designated sites (e.g. River Blackwater) which would be likely to result in LSEs and with potential for Adverse Effects on Integrity (AEoI) of the designated sites, during both construction and operation of the transmission connection. This potential long term operational effect arises from the potential collision of those species with overhead lines (the earthwire is typically of most concern in 400kV overhead line connections due to its lower visibility) as highlighted above in relation to NPS EN5. The employment of alternative technology such as undergrounding in the ZOI is a potential mitigation, but in itself, may result in LSE or AEoI so would trigger a requirement for a shadow HRA screening report to assess impacts from EA Green, either alone or in combination with other plans and projects.
- 4.17 We acknowledge that the Blackwater Estuary and Abberton Reservoir are likely to have a considerable level of exchange of birds between them (a functional relationship that is not fully understood at this stage of appraisal), including species that are known to be vulnerable to risk of overhead line collision. This has the potential to apply to some or all of the other designations along the coastal corridor options. Thus, it confers further significant complexity in terms of both approach to survey and assessment, and thus the evidential burden on the project in terms of the quality and amount of the survey data required to rule out AEoI beyond all reasonable scientific doubt, in consultation with Natural England.
- 4.18 It is acknowledged that section R would fall within close proximity to the Thames Estuary and Marshes SPA (and Ramsar site) with the potential for LSEs. However, due to the orientation of section R, which approaches the coast from inland rather than running parallel to the coast, it is not in such close proximity to the designations. It is therefore likely to have less adverse effects than of section S, the only alternative to link to Tilbury Substation. Therefore, whilst there is potential for some LSEs to occur, the weight of probability is that any AEoI are potentially more capable of being adequately negated through

mitigation measures. Should AEol remain, it would be necessary to demonstrate no better alternative (section S does not provide this) and Imperative Reasons of Overriding Public Interest (IROPI), and clear and demonstrably sufficient levels of compensatory measures to demonstrate the maintenance of overall coherence of the designated site affected, would be required. Section R thus provides the preferable alternative to section S, which is adjacent to the designated sites and the expert assessment is that the latter is more likely to result in AEol.

4.19 We therefore welcome that Option ET1, routeing to the north of Colchester and to the west of Chelmsford (composed of either Section F and G, or Sections H and J, plus Sections K and R) was therefore considered the preferred option from a Biodiversity and Ecology perspective.

4.20 Based on the information provided, we support the graduated swathe for EAC to Tilbury based on **Option ET1 is the preferred option.**

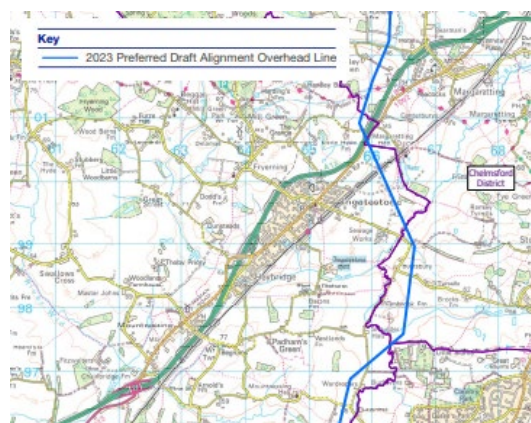
4.21 **Other matters**

We are concerned that more information is needed to understand the impacts on hedgerows along the route, particular those that could be important for bat foraging and commuting routes for Barbastelle bats or Dormouse.

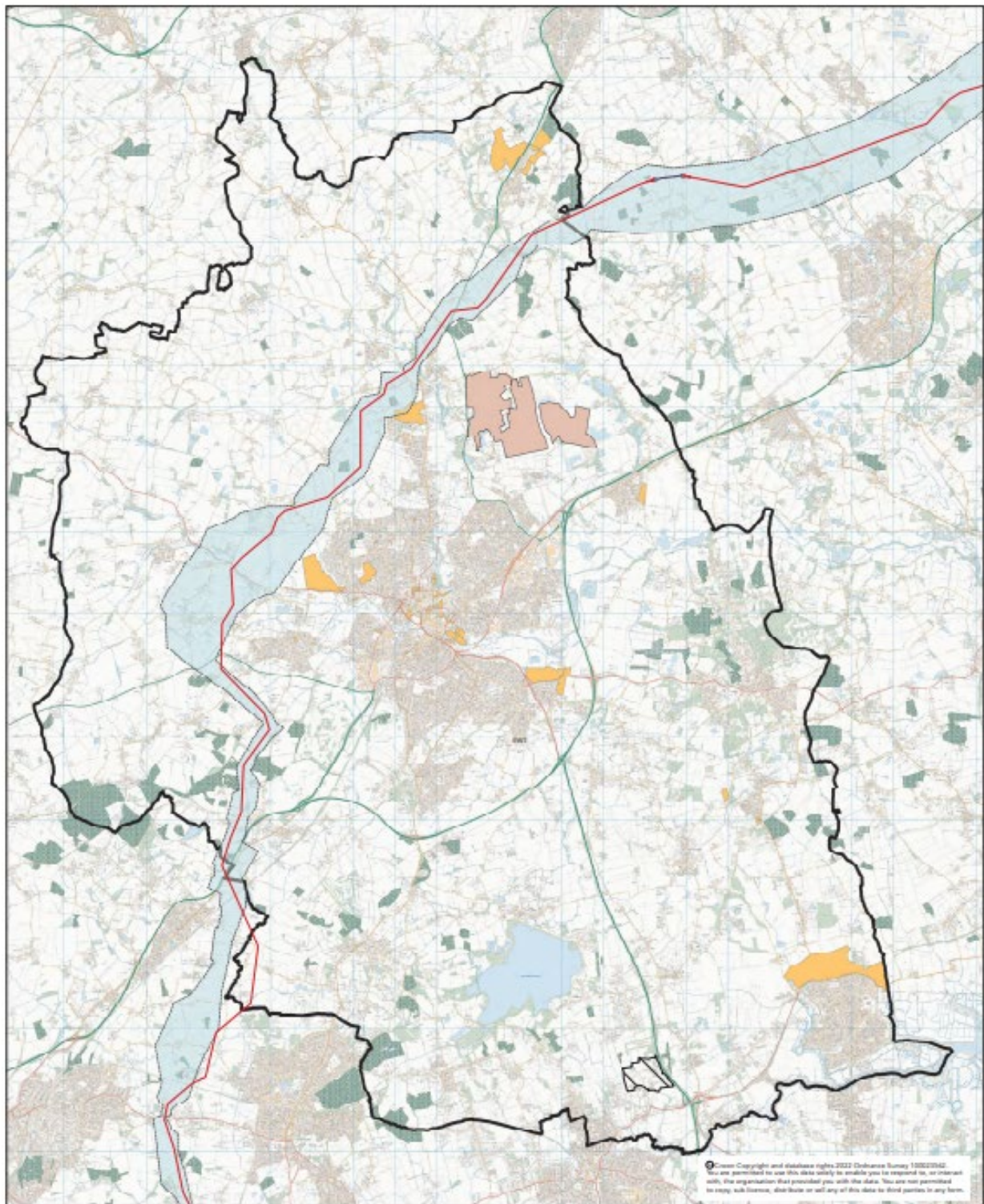
4.22 **Next Steps**

We seek to inform choices on micro routeing to avoid ecological features including veteran trees (irreplaceable habitat) and species options for restoration planting schemes as well as securing temporary mitigation measures during construction

Proposed Route Alignment through Chelmsford



Preferred Route Alignment with 2022 Consultation Corridor



- Proposed Preferred National Grid Corridor
- Centreline of new Preferred National Grid Route current at 6 July 2023
- New Housing Site
- New Garden Community for Major Housing and Employment Development
- Area for former Runwell Hospital Major Development Site
- Ancient Woodland

Directorate for Sustainable Communities
Civic Centre, Duke Street, Chelmsford, CM1 1JE



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Chelmsford Policy Board

28 September 2023

Consultation on National Planning Policy Reforms - Implementation of Plan-Making Reforms

Report by:

Director of Public Places

Officer Contacts:

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Purpose

To set out the government's proposals to implement the parts of the Levelling Up and Regeneration Bill which relate to plan-making and provides responses to the consultation questions for consideration by the Board.

Recommendations

That the Board note the report and approve the proposed consultation responses set out in Appendix 1.

1. Introduction

1.1. The government is consulting on proposals and direction of travel for the implementation of certain key aspects of the new plan-making system that will be introduced through the Levelling up and Regeneration Bill. The consultation closes on 18 October 2023 and can be viewed here:

[Levelling-up and Regeneration Bill: consultation on implementation of plan-making reforms - GOV.UK \(www.gov.uk\)](https://www.gov.uk/levelling-up-and-regeneration-bill-consultation-on-implementation-of-plan-making-reforms)

1.2. The main proposals relate to changes to the way local plans (and minerals and waste plans) are prepared including:

- Making the role and contents of plans simpler to understand and use
- Speeding up the process for preparing and updating plans to ensure more planning authorities have up-to-date plans that reflect local needs

- Ensuring local communities are engaged in helping to positively shape plans, and
- Making the most of new digital technology to drive improved productivity and efficiency in the plan-making process.

1.3. The government is seeking views on:

- A proposed set of core principles for local plan content
- A new requirement for plans to include a focused, specific and measurable vision
- A framework for local development management policies
- An approach to nationally defined digital templates
- A proposed 30-month timeframe for future plan-making, and
- Possible transitional arrangements from the current to the new plan-making system.

1.4. The proposals are set out in separate chapters and are subject to the Bill receiving Royal Assent as well as Parliamentary approval of the relevant regulations. Appendix 1 to this report sets out the 43 consultation questions and the proposed Council response, where appropriate.

2. Background

2.1 The government consulted previously on reforms to the national planning system in the White Paper in Autumn 2020. The responses informed the Levelling-Up and Regeneration Bill which is currently undergoing Parliamentary scrutiny.

2.2 The City Council responded to the consultation on the Planning White Paper and to subsequent consultations on proposed changes to the National Planning Policy Framework (NPPF). These were considered by this Board at meetings held on 1st October 2020, 15th March 2021 and 28th February 2023.

2.3 This latest consultation published on 25th July is seeking changes to regulations, national policy and guidance to implement the parts of the Levelling Up and Regeneration Bill which relate to plan-making. These are proposed to be in place by autumn 2024 to enable the preparation of the first new-style local plans.

3. Proposed Changes

Simplifying plan content

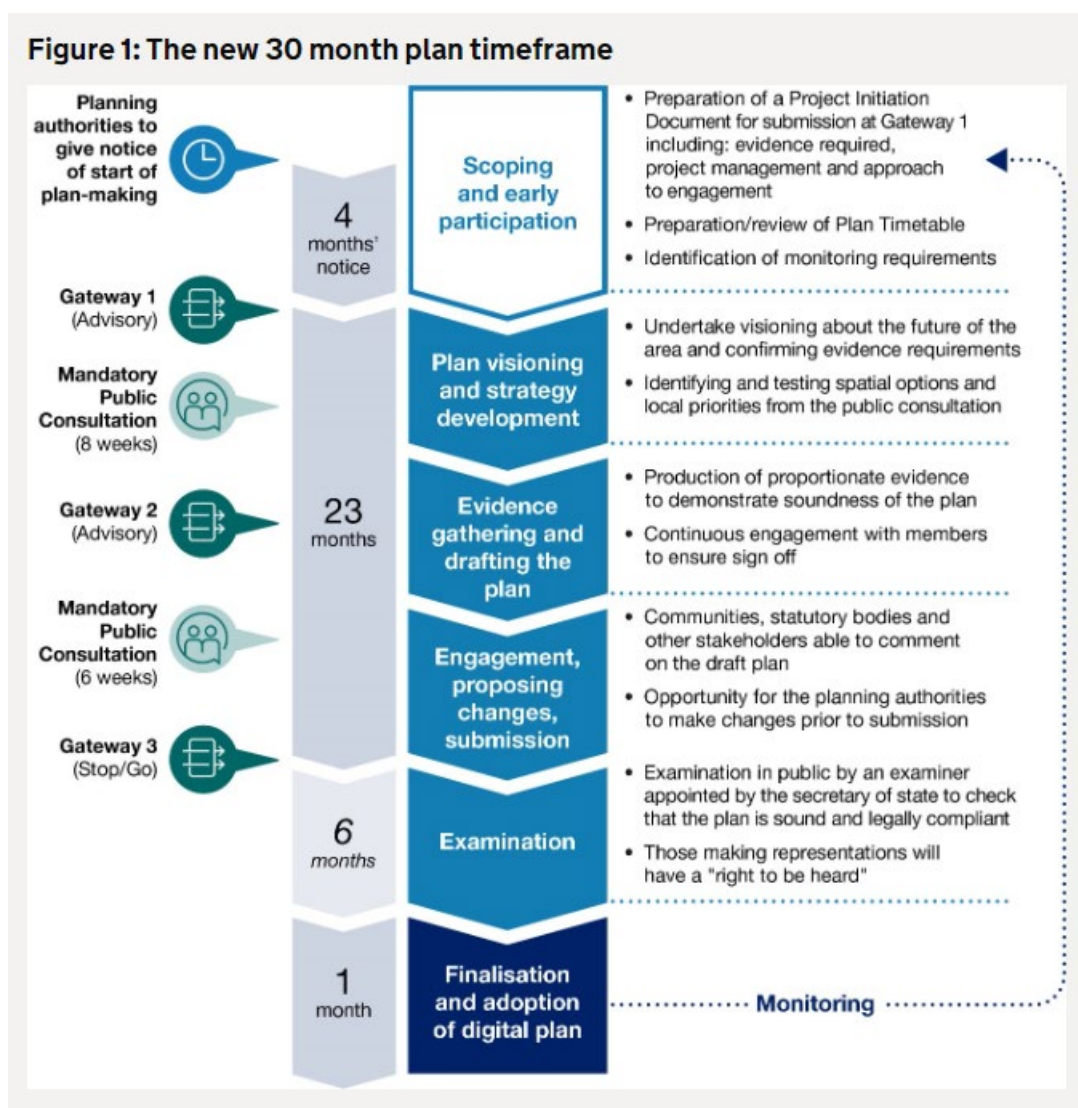
3.1. The consultation proposes a series of additional core principles for plan content to support the intentions of the Levelling Up and Regeneration Bill of producing more simplified plans more quickly. These core principles include proposals for:

- Plans to contain a locally distinct vision which would serve as a “golden thread” through the entire plan
- Plans to contain ambitious locally distinctive policies which meet key economic, social, and environmental objectives, linked to the vision
- Plans to foster beautiful places and recognise the importance of design, linking to design codes where appropriate
- Plans to set out a clearer, more focused approach to monitoring and ongoing review of the plan
- Plans to contain less and more focused local development management (DM) policies to address distinctly local issues

- Plans to use of standardised templates and checklists to promote consistency in the appearance, structure and terminology of plans to make them easier to use
- The introduction of data standards to help to ensure that plan data is created and published consistently across all local planning authorities, and
- The greater use of digital tools to improve and speed up how plans are prepared and used.

Speeding up plan-making

- 3.2. The consultation confirms the Government’s proposals, originally set out in The Planning White Paper for local plans to be prepared and adopted within a 30 month timeframe. The Government’s evidence suggests that it currently takes 7 years, on average, to produce a local plan.
- 3.3. The key requirements over the 30 months are detailed in the consultation document and summarised in Figure 1. Before the 30 month timeframe begins, local planning authorities would be able to undertake preparation work aimed at putting them in the best position to start their plan. This early scoping and participation stage would include preparation of a ‘Project Initiation Document’ (PID), preparation of the plan timetable and identification of monitoring requirements. Whilst there are no proposals to place a time-limit on this stage, local planning authorities would be required to commence the 30 month process at a certain point, and to give a minimum of 4 months’ notice.



- 3.4. The PID would use a digital template provided by government and confirm the evidence requirements and project management arrangements. It would also set out the approach to engagement and the timings of the mandatory gateway assessments and public consultation, and in doing so remove the requirement on authorities to prepare a separate Statement of Community Involvement (SCI).
- 3.5. The first stage at the beginning of the 30 month timeframe will be to undertake a formal plan visioning and strategy development consultation with local communities and stakeholders. This would focus on gathering baseline information to inform the plan and seek views on drafting a vision, initial principles, and other key matters such as overall approaches to engagement and plan monitoring. It is designed to give communities a genuine opportunity to shape, from the earliest stages, how their area meets its needs and evolves over time and to make sure the plan takes account of a wide range of views.
- 3.6. At 23 months into the timeline, authorities will be expected to have resolved any issues with statutory consultees and stakeholders following a second mandatory consultation on the draft plan. Although there will be an opportunity to make modifications to the plan prior to submission, authorities should avoid re-consulting wherever possible prior to the examination.
- 3.7. It is proposed to speed up the examination stage so that they take no longer than six months, moving away from the current situation where examinations can potentially last for several years. The new gateway assessment process is intended to be key to achieving this, by ensuring that any issues with the plan are picked up earlier in the plan-making process and resolved prior to the examination. Changes to the examination process such as using panels of two or more Inspectors and shortening the minimum notification for hearing session are also being put forward.
- 3.8. Authorities would need to adopt the plan as soon as possible (within 1 month) following receipt of the Inspector's Report advising that it is sound.

Gateway assessments

- 3.9. During the 30 months plan making timeframe, three new mandatory 'gateway' assessments would be introduced. These are intended to avoid plans being submitted for examination with deficiencies which can result in delays during examinations and plans failing late in the preparation process. Under the current system, authorities may choose to take up advisory visits through the Planning Inspectorate, but the consultation states that these often take place too late in the process to be able to genuinely resolve issues.
- 3.10. The timings of the three mandatory gateway assessments are shown in Figure 1 and described below:
 - Gateway 1 would be at the very beginning of the 30 month process, following work undertaken at the scoping stage. This would seek to ensure that the local planning authority has the right tools and resources to deliver, that the scope of the plan and associated supporting information and evidence is appropriate, and that key risks are identified with suitable mitigation proposed
 - Gateway 2 would be part-way through plan preparation (between the two mandatory consultation windows). This would consider compliance with legal and procedural requirements and early resolution of potential soundness issues
 - Gateway 3 would be at the end of the plan-preparation process at the point the local planning authority intends to submit the plan for examination. This would

include checking the plan is ready to proceed to examination and ensuring legal and procedural compliance.

3.11. The role of the first and second gateways will be advisory, although local planning authorities will be required to have regard to their observations and advice. Gateway three would be a 'stop/go' assessment by a Planning Inspector with the power to halt or delay the plan preparation process if they consider it fails to meet prescribed requirements.

3.12. It is proposed to charge local planning authorities for gateway assessments.

Community Engagement

3.13. The consultation outlines proposals to improve the quality, quantity and diversity of community engagement throughout the local plans process. These include:

- Greater use of modern digital engagement tools and services alongside more traditional methods
- A proposed new requirement for authorities to outline their overall ambitions and approach to engagement and consultation in their PID (see Para. 3.3)
- A proposed new requirement to "notify" and "invite" participation at the start of the plan-making process
- A more standardised approach to mandatory public consultations.

Requirement to assist with certain plan-making

3.14. The Levelling Up and Regeneration Bill proposes to give local planning authorities the power to legally require that "prescribed public bodies" provide assistance when preparing the local plan. The proposed list includes infrastructure providers as well as other bodies of a public nature such as County Councils, Environment Agency, Natural England and Sport England.

Evidence and the tests of soundness

3.15. The consultation document outlines proposals to reduce the amount of evidence required to develop a plan and defend it at examination, whilst still ensuring high quality plans are delivered. These are intended to reduce time and resources spent on producing evidence that can be disproportionate. The proposals include:

- Providing clearer expectations through national policy and guidance including setting out what 'proportionate' evidence looks like
- Greater standardisation of the evidence base relating to development needs and impact assessments, and
- 'Freezing' data or evidence at certain points in the plan-making process including at the point of submission for examination.

3.16. Further work will be undertaken to explore whether the proposed changes to evidence base requirements could merit changing/removing the 'justified' and 'effective' tests of soundness against which plans are currently examined. It is also proposed that local planning authorities complete a new, light touch and templated 'statement of compliance with legislation and national policy' – which would set out where in the suite of evidence each national policy has been considered. Some local planning authorities, including Chelmsford, already produce similar documents using the Planning Advisory Service Toolkits to support the examination of their plans.

Plan monitoring

- 3.17. Following adoption of the local plan, authorities will be expected to monitor how it is performing using a clearer, more focused approach following a government template. This would include a light touch annual return of plan performance against the plan vision and nationally prescribed metrics such as net additional dwellings completed and delivery of 10% Biodiversity Net Gain. A further detailed return of how planning policies and designations are being implemented would be required within four years of adoption. This would be used to inform the update of the plan, which would need to commence five years after adoption, at the latest.

The Local Plan Timetable

- 3.18. The consultation proposes replacing Local Development Schemes (LDS) with a new, simpler local plan timetable. These would set out timescales for key milestones in the plan making process such as gateway assessments, mandatory consultations, submission for examination and adoption of the plan. The timetable will be required to follow a prescribed digital format and have to be updated at least once every six months.

Supplementary Plans

- 3.19. The proposals include replacing Supplementary Planning Documents (SPDs) with new Supplementary Plans. These would have to undergo a similar local plan style independent examination, where at the moment they can be adopted by the Council following consultation, but as such could be afforded the same weight as local plans. They could be used by local planning authorities to react quickly to changes in particular areas (for example, an unexpected regeneration opportunity), or set authority-wide design policies although they should not be used routinely, only for exceptional or unforeseen circumstances that need resolving between plans.
- 3.20. Existing SPDs will remain in force until a local planning authority is required to adopt a new-style plan.

Community Land Auctions

- 3.21. Other proposals include piloting Community Land Auctions (CLA). These are a longstanding idea of identifying land for allocation for development in a local planning authority's area in a way which seeks to optimise land value capture for the benefit of the local community. CLAs are akin to competitive tendering and encourage landowners to reveal the true price at which they would willingly part with their land: if they choose to offer a higher price, they risk another site being allocated for development.
- 3.22. The responses to the consultation will be used to inform new CLA regulations which will be subject to further consultation in due course.

Approach to roll-out and transition

- 3.23. The consultation confirms the Government's intention that the latest date for plan-makers to submit local plans for examination under the current system will be 30 June 2025. They also confirm their intention that those plans will, in general, need to be adopted by 31 December 2026. These dates are contingent upon Royal Assent of the Levelling Up and Regeneration Bill, as well as Parliamentary approval of the relevant regulations. However, Government is setting this out now to provide local planning authorities with as much notice as possible of these dates. Regulations will provide limited flexibility for authorities to adopt plans at a specified later date in the most

exceptional circumstances. Arrangements for Neighbourhood Plans will be set out in due course.

- 3.24. The consultation confirms that the new system of plan-making is expected to go live in late 2024. As set out above, this deadline is contingent upon Royal Assent of the Levelling Up and Regeneration Bill, as well as Parliamentary approval of the relevant regulations. It is proposed that authorities that have prepared a local plan which is more than 5 years old when the new system goes live (and are not proactively working towards the 30 June 2025 submission deadline under the current system) will be required to begin preparing a new style local plan straight away. Authorities that have prepared a local plan which is less than 5 years old when the new system goes live will not be required to begin preparing a new-style plan until their existing plan is 5 years old. So, for example, for a plan adopted in mid-December 2026, the preparation of a new plan must start by mid-December 2031. The period of 5 years applies from the date of adoption and authorities could begin preparing a new plan sooner if they wish. Authorities that do not meet the 30 June 2025 submission deadline for 'old-style' plans (as set out previously) will need to prepare plans under the new plan-making system.
- 3.25. Authorities can begin preparing a new plan sooner if they wish. However, in order to achieve a smooth transition for local planning authorities to the new system from autumn 2024, the government proposes to put in place a transitional timetable for plan preparation, covering the transitional period and beyond. The consultation proposes options for a phased roll-out. The proposed approach is to start with a small cohort of around ten "front runner" authorities from autumn 2024 followed by a second cohort starting seven months later from 30 June 2025. The remaining authorities would then be ranked chronologically by the date that they have most recently adopted a plan and grouped together sequentially into groups of up to 25 authorities. Each group would then be allocated a 6 month plan-making commencement window (a "wave"), within which plan making should start. Alternative options in the consultation document include grouping authorities by county boundaries and being allowed to begin plan-making earlier than these dates, with the waves acting as a final 'back stop' by which authorities should have begun preparing their new plan.
- 3.26. In order to ensure authorities do not face adverse consequences from being placed into a wave which would mean them beginning plan-making later than they otherwise would do, once the new plan-making system is commenced, further measures are proposed. A period of 30 months is proposed after their most recently adopted plan is five years old, , where authorities would be protected from speculative development (i.e. their plans would be considered up to date for decision making purposes).
- 3.27. It is anticipated that the plan making reforms will result in local planning authorities having a single local plan for their areas. This is intended to help make it clearer to applicants the relevant policies that will be considered when determining planning applications. The Government are also proposing that when the new plan-making system comes into force, existing Development Plan Documents and saved policies will remain in force until the local planning authority adopt a new-style local plan. SCIs and LDSs would also remain in force where they relate to emerging old-style plans, until those plans are adopted or the deadline for their adoption passes.
- 3.28. The new plan-making process will be supported by other reforms in the wider planning system, including the introduction of the Infrastructure Levy and Infrastructure Delivery Strategies, and Environmental Outcomes Reports. These reforms have been subject to separate consultations, which have now closed.

- 3.29. Alongside this, through the Capacity and Capability programme, the Government is seeking to ensure that local planning authorities have the skills and capability they need to adapt to the new measures proposed in the Levelling Up and Regeneration Bill. Officers have submitted an initial bid to the Planning Skills Fund.
- 3.30. Officers are currently assessing the implications of the consultation proposals for the timetable for the Local Plan Review. It is anticipated that an updated Local Development Scheme will be presented to the Board in November. However, it is expected that the Local Plan Review will continue to be developed under the existing plan-making system and be ready for submission before the 30 June 2025 deadline.

4 Conclusion

- 4.1 This is a further stage of consultation on detailed changes to national planning policy arising from the Levelling-Up and Regeneration Bill. It contains proposals to change the NPPF, national guidance and regulations to come into force from autumn 2024. It will be followed by further consultation and changes in due course following the Levelling-Up and Regeneration Bill receiving Royal Assent following Parliamentary scrutiny.
- 4.2 The proposed responses to the consultation questions are set out at Appendix 1 of this report.

List of Appendices:

Appendix 1 – Proposed response to the Levelling-up and Regeneration Bill: consultation on implementation of plan-making reforms

Background Papers:

[Levelling-Up and regeneration Bill: Reforms to National Planning Policy - Proposed Consultation Responses](#) – 28 February 2023

[Levelling-Up and Regeneration Bill – Reforms to National Planning Policy](#) - 22 December 2022

[National Planning Policy Framework: Draft Text for Consultation](#) – 22 December 2022

Chelmsford Policy Board Reports: [1 October 2020 Agenda Item 5](#) : [15 March 2021 Agenda Item 6](#)

Corporate Implications

Legal/Constitutional:

The consultation is proposing a new legal framework for plan-making.

Financial:

There are no immediate financial implications. Awaiting more detailed proposals in further consultations and guidance.

Potential Impact on Climate Change and the Environment:

There is an overarching requirement for new style local plans and supplementary plans to contribute to the mitigation of, and adaptation to, climate change so positive impacts are envisaged if the proposals are introduced.

Contribution toward Achieving a Net Zero Carbon Position by 2030:

There are proposals for local plan monitoring to include metrics on progress toward net zero emissions from buildings so positive impacts are envisaged if the proposals are introduced.

Personnel:

There are no immediate direct staffing implications arising from this report.

Risk Management:

The consultation proposals could affect the route for reviewing and updating the Council's Local Plan which will need to be monitored.

Equality and Diversity:

The consultation seeks feedback on any potential impacts that might arise under the Public Sector Equality Duty as a result of the government proposals.

Health and Safety:

There are no direct health and safety implications arising from this report.

Digital:

There are no immediate direct digital implications arising from this report. The Government has indicated increased use of digital communication in the planning system.

Other:

None.

Consultees:

CCC - Development Management and Economic Development and Implementation

Relevant Policies and Strategies:

The report takes account of the following policies and strategies of the City Council:

Chelmsford Local Plan 2013-2036

Our Chelmsford, Our Plan, January 2020

Chelmsford Climate and Ecological Emergency Action Plan

Appendix 1 – Proposed response to the Levelling-up and Regeneration Bill: consultation on implementation of plan-making reforms

Chapter 1: Plan content

Question 1: Do you agree with the core principles for plan content? Do you think there are other principles that could be included?

The core principles are supported in principle including the need for plans to contain a locally distinct vision and policies which meet key economic, social, and environmental objectives, linked to the vision. It is agreed that these should help to ensure that plans are focused on the right things and that users will be able to understand how the area will develop and change over the plan period.

Question 2: Do you agree that plans should contain a vision, and with our proposed principles preparing the vision? Do you think there are other principles that could be included?

The requirement for a local plan to contain a focused, concise and locally distinct vision to set out the main aims and objectives of the plan is supported in principle. Proposals for a digital vision template to provide guidance for authorities on what a vision should contain is also broadly supported where designed to allow authorities flexibility to reflect local circumstances.

Question 3: Do you agree with the proposed framework for local development management (DM) policies?

Proposals for authorities to be more focused in scoping and designing local DM policies to enable shorter and more concise plans, and to reduce the amount of additional justification required is broadly supported. Proposals should still enable authorities to expand upon the new National Development Management Policies to reflect local circumstances.

Question 4: Would templates make it easier for local planning authorities to prepare local plans? Which parts of the local plan would benefit from consistency?

Proposals to produce a series of templates, setting out standardised approaches to specific parts of the plan including the contents page and presentation of specific policies are broadly supported. It is agreed that that these could help to simplify plans and make them more accessible to use and engage with. Templates should be designed to allow authorities flexibility to reflect local circumstances.

Question 5: Do you think templates for new style minerals and waste plans would need to differ from local plans? If so, how?

No comment. More applicable to minerals and waste planning authorities.

Chapter 2: The new 30 month plan timeframe

Question 6: Do you agree with the proposal to set out in policy that planning authorities should adopt their plan, at the latest, 30 months after the plan preparation process begins?

The Council supports the Government's ambition to speed up the process of preparing and reviewing local plans. The consultation document proposes significant detailed changes to the plan making system which will require additional financial resources to implement and take time to learn. Although the 30 month time limit would commence after a 4 month scoping stage, this Council has significant concerns that it is too short a period in which to undertake meaningful community consultation and engagement, prepare robust evidence base to support policies, , and to ensure democratic accountability through local authority public committee meetings.

Circumstances may also arise that mean a milestone is not met, for example a delay in receiving third party information, local and national elections, a change in political administration, or the unexpected absence of key personnel. The length of the independent examination, and the date of plan adoption, will be dictated primarily by the Planning Inspectorate and the receipt of the Inspector's Report. As such, it is considered that there is insufficient flexibility in the timeframe for such circumstances.

Careful consideration also needs to be given to ensuring that the Planning Inspectorate are equipped to meet the proposed reduced examination timelines.

See also response to Question 25.

Question 7: Do you agree that a Project Initiation Document (PID) will help define the scope of the plan and be a useful tool throughout the plan making process?

The requirement to produce a PID is generally supported. This should bring information currently contained with the Local Development Scheme and Statement of Community Involvement into one document making the system simpler and more accessible. The proposed national digital PID template should be designed to allow authorities flexibility to reflect local circumstances and knowledge from previous engagement activities.

Chapter 3: Digital plans

Question 8: What information produced during plan-making do you think would most benefit from data standardisation, and/or being openly published?

The Council publishes a range of information to support its plan-making, from evidence base, consultation events, and feedback reports to topic papers, examination documentation, and FAQs. It is considered that a key part of future digital access will be for mapping and digital representation of a Policies Map which is easily searchable by the user.

Question 9: Do you recognise and agree that these are some of the challenges faced as part of plan preparation which could benefit from digitalisation? Are there any others you would like to add and tell us about?

The Council agrees that lack of standard formats and terminology could be a challenge for users.

The other challenges listed are already being dealt with to some extent by the Council, in that it is considered that guidance is clear, timelines can be presented in a clear way using graphics, plans are necessarily fixed until they are formally updated, and the Council has had some success using alternative methods of raising awareness such as explanation videos and virtual exhibitions. The cost of procuring and developing such specialist software should be considered and additional resources or funding should be made available e.g. New Burdens Grant.

Question 10: Do you agree with the opportunities identified? Can you tell us about other examples of digital innovation or best practice that should also be considered?

The mix of emerging tools appears to cover the main opportunities, but the statements in Para 72 represent the real challenges for any digital system – to ensure that different systems are compatible, simple to use (by the plan-maker), that data is secure where necessary, and that the digital tools cover all the local plan needs.

Question 11: What innovations or changes would you like to see prioritised to deliver efficiencies in how plans are prepared and used, both now and in the future?

Demonstrating local plan policies and allocations spatially as a digital map should be a priority. Users should be able to easily navigate to their location or area of interest for a simple-to-use and rewarding experience which indicates proposals and designations geographically. The layers/data can signpost to supporting policy text, evidence or other background, but the digital map should be the starting point.

Chapter 4: The local plan timetable

Question 12: Do you agree with our proposals on the milestones to be reported on in the local plan timetable and minerals and waste timetable, and our proposals surrounding when timetables must be updated?

The approach to reporting on milestones is broadly supported. The ability to update the local plan timetable when it is revised will be helpful for users to track real-time progress, rather than the current less flexible format of the Local Development Scheme. However, effective support will be required to enable the milestones to be met, as set out in the response to Question 19.

Question 13: Are there any key milestones that you think should automatically trigger a review of the local plan timetable and/or minerals and waste plan timetable?

Although the proposals to reduce plan-making timeframes are welcomed and understood, circumstances may arise that mean a milestone is not met, for example a delay in receiving third party information, local or national elections, a change in political administration, or the unexpected absence of key personnel. Such circumstances may require some flexibility for a timetable to be updated by the local authority when appropriate, and not purely in relation to a trigger of a delayed milestone.

Chapter 5: Evidence and the tests of soundness

Question 14: Do you think this direction of travel for national policy and guidance set out in this chapter would provide more clarity on what evidence is expected? Are there other changes you would like to see?

In principle the direction of travel is supported. A clearer approach to what level and type of evidence is required to support an appropriate strategy for the area is welcomed, subject to the detailed proposals.

The Council supports the idea that evidence should only normally be discussed and argued against at examination where there is a significant and demonstrable reason for doing so, in relation to the tests of soundness and legal requirements. Whilst in principle this is supported it is unclear what could be seen as significant or demonstrable reasons for doing so. It will be interesting to see what this will look like and how it will be implemented consistently.

Question 15: Do you support the standardisation of evidence requirements for certain topics? What evidence topics do you think would be particularly important or beneficial to standardise and/or have more readily available baseline data?

The principle seems to be a good idea, subject to the detail of how and what is to be standardised. There may however be the need for local exceptions or circumstances to be able to be considered.

Question 16: Do you support the freezing of data or evidence at certain points of the process? If so which approach(es) do you favour?

This would be helpful to a degree, but the implementation of the plan once adopted needs to be considered. If freezing evidence would result in a plan which would be contrary to, or out of date with, National Policy or Guidance upon adoption then it would make implementation for the local planning authority and the public confusing. This already happens to a certain degree if a plan is adopted under an old National Planning Policy Framework in part meaning planning applications must be considered against the latest National Planning Policy Framework, resulting in some policies being out of date as soon as they are adopted.

Freezing of evidence at the point of publication of the plan and submission to the Inspector would seem the most appropriate option. It is assumed that the

requirement will also be imposed on third parties or enable the Inspector to disregard any late evidence submitted by third parties?

Question 17: Do you support this proposal to require local planning authorities to submit only supporting documents that are related to the soundness of the plan?

Subject to what the list of evidence may include this would seem to be a sensible approach.

Chapter 6: Gateway assessments during plan-making

Question 18: Do you agree that these should be the overarching purposes of gateway assessments? Are there other purposes we should consider alongside those set out above?

The three purposes of the gateways are broadly supported. The roll out of gateway assessments should be closely monitored to ensure that they are delivering against their key purposes, helping to speed up plan making and providing helpful outputs that support authorities.

Question 19: Do you agree with these proposals around the frequency and timing of gateways and who is responsible?

The requirement to undertake three gateway assessments at key stages in the plan preparation process rather than at precise timeframes is generally supported. The precise dates of the gateway assessments should be for local planning authorities to set out in their local plan timetable and reflect local circumstances.

It is essential for Government to ensure that systems and personnel are in place to enable the delivery of effective gateway assessments for local planning authorities. Providing flexibility in guidance to allow these to take 6 weeks could adversely impact on an authorities' overall 30 month plan making timeframe and is not supported. If gateways are allowed to take longer than 4 weeks or get delayed by delivery partners, local planning authorities should be able to extend or pause their 30 month plan period. See also response to Question 6.

Question 20: Do you agree with our proposals for the gateway assessment process, and the scope of the key topics? Are there any other topics we should consider?

The gateway assessment process is broadly supported including proposals for an interactive workshop day during the first and second gateways to work through issues identified and to provide initial observations and advice to the planning authority.

Minimum standards should be set out to ensure that the proposed 'short' gateway reports prepared by the appointed person(s) are also comprehensive, helpful and provide the authority with value for money. It would be helpful if draft reports were

provided to authorities so they can highlight any factual errors or inconsistencies before the final report is issued and published.

The scope of the assessment topics at each gateway is supported including reviewing the Project Initiation Document (at gateway 1), progress with relevant SEA requirements (at gateway 2) and practical readiness for examination (at gateway 3). Topics should be kept under review drawing on learning and best practice as the new system is rolled out.

Question 21: Do you agree with our proposal to charge planning authorities for gateway assessments?

No, the plan making process is already very expensive placing significant strain on local authority resources and budgets. As such, the Government should cover the cost of new mandatory gateway assessments.

Chapter 7: Plan examination

Question 22: Do you agree with our proposals to speed up plan examinations? Are there additional changes that we should be considering to enable faster examinations?

The proposals seem sensible, subject to the Planning Inspectorate being able to support them and being able to adhere to the timeframes set out.

Question 23: Do you agree that six months is an adequate time for the pause period, and with the government's expectations around how this would operate?

It may be appropriate in some circumstances but if a further piece of evidence is required which would take over 6 months this would mean the whole plan would have to be withdrawn and the process start all over again – also see response to Q16. This has implications for such plans to take even longer. For example, if submitted under one National Planning Policy Framework and then it is withdrawn, would it continue to be examined under the original National Planning Policy Framework or would it have to be resubmitted/restarted with evidence to support any subsequent National Planning Policy Framework or national policy and guidance which has been published?

Chapter 8: Community engagement and consultation

Question 24: Do you agree with our proposal that planning authorities should set out their overall approach to engagement as part of their Project Initiation Document (PID)? What should this contain?

Setting out the local authority's approach to consultation through a PID is welcomed, to ensure the commitment to and method for engagement is clear. However, with the proposed removal of the requirement for a Statement of Community Involvement (SCI), local authorities should consider using a similar format for demonstrating other

planning engagement such as for consultation on planning applications, consultation relating to planning appeals, neighbourhood plans and stakeholder engagement, all of which are currently included in the Council's SCI alongside engagement for plan-making.

Question 25: Do you support our proposal to require planning authorities to notify relevant persons and/or bodies and invite participation, prior to commencement of the 30 month process?

It is considered essential for early participation with both the public and stakeholders, which may not be possible within the 30 month process. Many local authorities, including our Council, choose to hold two Regulation 18 consultations to ensure that early participation is as effective as possible. This is particularly important in relation to evidence gathering, visioning and setting strategic priorities. It is not only about allowing time for communities and stakeholders to get involved, but to provide enough time for the local authority to carry out the necessary level of engagement within its resources.

Question 26: Should early participation inform the Project Initiation Document (PID)? What sorts of approaches might help to facilitate positive early participation in plan-preparation?

It may be helpful to use the outcomes from early participation to inform the PID, however local authorities will also need to manage expectations particularly on communities' ideas for higher cost or resource-hungry activities. Early participation could provide, for example, a good opportunity to encourage people to register to a digital consultation platform to ensure they are notified of future opportunities to get involved.

Question 27: Do you agree with our proposal to define more clearly what the role and purpose of the two mandatory consultation windows should be?

The Council considers that this approach would be helpful in setting out the purpose of each consultation window, and encourages the use of consistent, clear and straightforward language, where the purpose of the consultation is central rather than the regulation reference (e.g. rather than 'Regulation 18 Consultation', 'Regulation 19 Consultation' etc).

Question 28: Do you agree with our proposal to use templates to guide the form in which representations are submitted?

The Council uses this template approach which it has transferred to its digital platform and assists both with consultees being able to make representations in a consistent manner, and for officers in assessing comments received.

Chapter 9: Requirement to assist with certain plan-making

Question 29: Do you have any comments on the proposed list of prescribed public bodies?

The list is similar to the current list of Duty to Co-operate bodies, but has a better balance of national and local interests. However, it is considered that neighbouring local planning authorities should be added.

It would be helpful if through the Project Initiation Document resources, a list could be maintained of current energy and telecoms consultees and the geographical areas in which they operate, to avoid local authorities sending blanket communications to organisations who have no interest in a particular area or specific local plan. This information is currently difficult to find, and it dates quickly.

Question 30: Do you agree with the proposed approach? If not, please comment on whether the alternative approach or another approach is preferable and why.

The approach is supported, and the Council has good relationships with many of the prescribed public bodies due to ongoing Duty to Co-operate activity. However, it should be recognised that any need to formally notify a stakeholder of a requirement to assist could impact on the plan-making timetable. Will there be further resource implications arising from prescribed public bodies charging for their timely input?

Chapter 10: Monitoring of plans

Question 31: Do you agree with the proposed requirements for monitoring?

A light touch annual return seems appropriate and more detailed information should be published in the Annual Monitoring Report. A template of the fuller monitoring report to be made available to the Secretary of State would be helpful.

Question 32: Do you agree with the proposed metrics? Do you think there are any other metrics which planning authorities should be required to report on?

Some of the nationally prescribed metrics need further consideration i.e. affordable housing completions per annum are a poor indication of the performance of planning policies, especially on larger, phased developments. Planning permissions provide a more accurate metric to measure the performance of planning policies for affordable housing on threshold sites. The environmental metrics as shown are difficult to comment on currently and further guidance will be required to establish national measures for establishing the benchmarks from which changes will be measured i.e. 10% biodiversity net gain will vary depending on the starting point for a site(s). Progress toward net zero emissions from buildings is more a statement than a metric. Additional guidance will not only be needed on the baseline for these measures but on how to calculate 'progress' and 'delivery'. Further guidance, by way of examples, of the metrics that might be considered 'measurable outcomes' against different visions would also be welcome.

Chapter 11: Supplementary plans

Question 33: Do you agree with the suggested factors which could be taken into consideration when assessing whether two or more sites are 'nearby' to

each other? Are there any other factors that would indicate whether two or more sites are 'nearby' to each other?

The proposed factors are broadly supported. Shared infrastructure to support sites could also be a consideration.

Question 34: What preparation procedures would be helpful, or unhelpful, to prescribe for supplementary plans? E.g. Design: design review and engagement event; large sites: masterplan engagement, etc.

It is considered that local planning authorities should be given flexibility to determine preparation procedures based on the purpose and scope of the supplementary plans and local circumstances.

Question 35: Do you agree that a single formal stage of consultation is considered sufficient for a supplementary plan? If not, in what circumstances would more formal consultation stages be required?

A single formal stage of consultation is expected to be sufficient. However, there may be circumstances where a further consultation may be helpful, for example, if a site boundary changes, so local flexibility and judgement should be allowed.

Question 36: Should government set thresholds to guide the decision that authorities make about the choice of supplementary plan examination routes? If so, what thresholds would be most helpful? For example, minimum size of development planned for, which could be quantitative both in terms of land use and spatial coverage; level of interaction of proposal with sensitive designations, such as environmental or heritage.

It would seem sensible to set thresholds to guide the decision that authorities make about the choice of supplementary plan examination routes, but this should be a guide and should not preclude the local planning authority from selecting one route or the other as they may be best placed to advise if the supplementary plan is contentious or not, rather than simply relying on arbitrary thresholds.

Question 37: Do you agree that the approach set out above provides a proportionate basis for the independent examination of supplementary plans? If not, what policy or regulatory measures would ensure this?

In principle yes, subject to the detailed requirements of each of those set out.

Chapter 12: Minerals and waste plans

Question 38: Are there any unique challenges facing the preparation of minerals and waste plans which we should consider in developing the approach to implement the new plan-making system?

No comment. More applicable to minerals and waste planning authorities.

Chapter 13: Community Land Auctions

Question 39: Do you have any views on how we envisage the Community Land Auctions (CLA) process would operate?

We note that the Government intends to consult on the draft CLA regulations in due course. The Council will await the future consultation containing more detail in order to make informed comments.

Question 40: To what extent should financial considerations be taken into account by local planning authorities in Community Land Auction pilots, when deciding to allocate sites in the local plan, and how should this be balanced against other factors?

We note that the Government intends to consult on the draft CLA regulations in due course. The Council will await the future consultation containing more detail in order to make informed comments.

Chapter 14: Approach to roll out and transition

Question 41: Which of these options should be implemented, and why? Are there any alternative options that we should be considering?

Proposals for a phased roll out of the new system to avoid a large group of authorities starting at the same point are supported in principle. It is agreed that this could help to avoid a lack of professional capacity in the sector to support the new system (e.g. Consultants, Planning Inspectors) and should enable authorities to learn from emerging best practice. Grouping authorities ranked chronologically by the date that they have most recently adopted a plan seems a fair roll out option.

Chapter 15: Saving existing plans and planning documents

Question 42: Do you agree with our proposals for saving existing plans and planning documents? If not, why?

The proposals seem to be sensible, subject to the Planning Inspectorate being able to meet the timeframe between submission and adoption.

Equalities impacts

Question 43: Do you have any views on the potential impact of the proposals raised in this consultation on people with protected characteristics as defined in section 149 of the Equality Act 2010?

No comment.