



## **Bramford to Twinstead:**

### **Dedham Vale Area of Outstanding Natural Beauty (AONB) and Stour Valley Partnership response to non-statutory consultation May 2021**

#### **The AONB Partnership**

This representation is made on behalf of the Dedham Vale AONB and Stour Valley Partnership. The Partnership is made up of around 20 organisations who are committed to the purposes of the AONB designation, to conserve and enhance natural beauty and to achieve similar aims of the Stour Valley project area, an area recognised and defined by the Dedham Vale AONB and Stour Valley Management Plan 2016-21.

For the avoidance of any doubt, some individual members of the Partnership are public bodies or statutory undertakers who have duties to conserve and enhance natural beauty and it is anticipated these members will provide separate representations reflecting their complete interests and responsibilities. Other Partnership members are likely to make their own representations reflecting their purposes.

#### **Scope of response**

This is a Dedham Vale AONB and Stour Valley Partnership response and in that regard has sought to address issues in a level of detail that all partners can support in its aspiration to conserve and enhance the natural beauty of the AONB and Stour Valley project area.

Many partners are custodians of Natural Beauty and Special Qualities indicators of the AONB and Stour Valley project area. This Partnership response should be seen as complementary to those responses, rather than the only response addressing AONB and Stour Valley project area issues.

The Dedham Vale AONB and Stour Valley Partnership response will restrict itself to making comment on the scheme where it directly impacts on its area of interest, including the setting of the nationally designated landscape and Stour Valley project area. It makes further comment on issues relating to a broader suite of issues relating to the proposals.

#### **Summary of AONB Partnership Position:**

- **It welcomes the proposals to underground in the AONB and Stour Valley.**
- **It considers that additional undergrounding in the setting of the AONB is justified and should be undertaken to avoid impacts to the nationally designated landscape.**
- **It considers that undergrounding in the Stour Valley project area is justified and should be undertaken due some land within it being assessed as AONB quality and Natural England undertaking to review the existing AONB boundary. A similar situation to 2013 when National Grid proposed undergrounding in the Stour Valley.**
- **It considers that appropriate bodies consider enforcing greater co-ordination of electricity generation and transmission to minimise environmental impacts.**

The Dedham Vale AONB and Stour Valley Partnership understanding of the current proposals, as communicated through:

- The *Bramford to Twinstead: Project Development Options Report (Doc Ref BT-JAC-020631-550-001)*
- A presentation to the Dedham Vale AONB and Stour Valley Partnership meeting on 23 April 2021 and
- Knowledge developed from individual partners with historical knowledge of the proposals (from 2009-2013) and current awareness events run by National Grid

As:

- Polstead Heath: a new overhead line alignment to the south of the existing line (referred to as sec D);
- Dedham Vale: a new underground cable section from Heath Road, Polstead Heath to Leavenheath (approximately 4km) (referred to as section E);
- Leavenheath and Assington: a new overhead line alignment to the south of the existing line (referred to as section F);
- Stour Valley an underground cable section from west of Dorking Tye to the Bramford-Braintree-Rayleigh overhead line south of Twinstead Tee (approximately 4km) Referred to as section G)

### **Policy Framework**

The Dedham Vale AONB and Stour Valley Partnership considers the following policy to be key in developing proposals such as the Bramford to Twinstead proposals:

- **National Policy Statement for Energy (EN-1)**  
That states in relation to development proposals in nationally designated landscapes (para 5.5.9):

*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. Each of these designated areas has specific statutory purposes which help ensure their continued protection and which the IPC should have regard to in its decisions. The conservation of the natural beauty of the landscape and countryside should be given substantial weight by the IPC in deciding on applications for development consent in these areas.*

**The AONB Partnership concur with National Grid that any new 400kV line should be put underground where it crosses or negatively impacts the nationally designated landscape as overhead lines to not contribute to the statutory purpose of AONBs.**

- **National Policy Statement for Electricity Networks Infrastructure (EN-5)**  
That states in relation to undergrounding (para 1.7.5):

*the range of factors to be taken into account means that decisions on undergrounding are best taken within a more flexible policy framework using case by case evaluation.*

**As undergrounding in the AONB and Stour Valley project area was already considered as appropriate before the project was paused, the AONB Partnership does not consider there has been any material change to alter that decision, indeed further evidence has emerged of part of the Stour Valley project area meeting the criteria for AONB status**

- **The Electricity Act (1989)**

This requires National Grid, when formulating proposals for new lines and other works, to:

‘have regard to the desirability of preserving natural beauty, of conserving flora, fauna, and geological or physiographical features of special interest and of protecting sites, buildings and objects of architectural, historic or archaeological interest; and shall do what [it] reasonably can to mitigate any effect which the proposals would have on the natural beauty of the countryside or on any such flora, fauna, features, sites, buildings or objects’.

The Dedham Vale AONB and Stour Valley Partnership notes that the desirability of conserving ‘natural beauty’ is not confined to the nationally designated landscape.

**The Dedham Vale AONB and Stour Valley Partnership consider that the applicant should consider preserving the natural beauty of the nationally designated AONB and the Stour Valley project area.**

- **The Countryside and Rights of Way Act (2000)**

Section 85 of the Countryside and Rights of Way Act (2000) notes:

*General duty of public bodies etc.*

*(1) In exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty, a relevant authority shall have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.*

*(2) The following are relevant authorities for the purposes of this section—*

*(a) any Minister of the Crown,*

*(b) any public body,*

*(c) any statutory undertaker,*

*(d) any person holding public office.*

National Grid Electricity Transmission (National Grid) are recognised as a statutory undertaker and are therefore subject to Section 85 responsibilities as outlined in the Countryside and Rights of Way Act 2000.

**The Dedham Vale AONB and Stour Valley Partnership consider that the applicant should pay regard to the purpose of the AONB when developing the proposals for the application. Furthermore, the applicant should provide evidence demonstrating how the Duty of Regard has been met.**

- **National Planning Policy Framework**

The application for the Bramford to Twinstead project will be determined by the Planning Inspectorate but it is worth noting what the draft revisions to the National Planning Policy Framework (para 172), which should be a material consideration in Development Consent Order process, has to say on development impacting on nationally designated landscapes and their setting:

*Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads. The scale and extent of development within these designated areas should be limited.*

**The Dedham Vale AONB and Stour Valley Partnership consider that the applicant should seek to conserve and enhance landscape and scenic beauty when developing its proposals for the application.**

- **Planning Practice Guidance**

The application for the Bramford to Twinstead project will be determined by the Planning Inspectorate but it is worth noting what the Planning Practice Guidance which should be a material consideration in Development Consent Order process, has to say about development within the setting of nationally designated landscapes

The National Planning Practice Guidance published by Government provides amplification on the NPPF and explains key issues in implementing the policy Framework. The guidance on AONBs was updated in 2019. It recognises that where poorly located or designed, development within the settings of AONBs can do significant harm.

***The Planning Practice Guidance states:***

*Land within the setting of these areas often makes an important contribution to maintaining their natural beauty, and where poorly located or designed development can do significant harm. This is especially the case where long views from or to the designated landscape are identified as important, or where the landscape character of land within and adjoining the designated area is complementary. Development within the settings of these areas will therefore need sensitive handling that takes these potential impacts into account.*

**The Dedham Vale AONB and Stour Valley Partnership consider that the applicant should consider the full impacts on land within the setting to the AONB when developing its proposals for the application.**

- **The Dedham Vale AONB and Stour Valley Management Plan 2016-21**  
The AONB Management Plan is a statutory document and should be given significant weight in decision making.

The Statement of Significance relating to the AONB in this management plan says:

*the area retains a rural charm and tranquillity and is largely free of infrastructure associated with modern life*

on the Stour Valley project area, the statement of Significance says:

*Much of the Stour Valley project area shares similar characteristics to the Dedham Vale AONB, particularly the area nearest the existing AONB*

Objective 3.2.6 of the Dedham Vale AONB and Stour Valley Management Plan includes:

*Infrastructure is fit for purpose and does not detract from the qualities of the area including its relative tranquillity.*

**The Dedham Vale AONB and Stour Valley Partnership consider that the applicant should give great weight to the objectives of the management plan, which is a material consideration, when developing proposals for its application.**

**The Dedham Vale AONB and Stour Valley Partnership make the following comment on elements of the proposals as outlined below:**

**i. AONB Crossing:**

Undergrounding of this section is welcomed due to the minimisation of the impacts on the nationally designated AONB and its defined natural beauty characteristics including:

- Landscape quality
- Scenic quality
- Relative wildness
- Relative tranquillity
- Natural heritage features

However, it would expect that the applicant takes appropriate measure to avoid, minimise, mitigate and compensate negative impacts to its defined natural beauty characteristic:

- Cultural heritage. Including archaeology

Furthermore, transitions between underground cable and overhead lines in the setting of the AONB should not negatively impact on the purpose of the AONB. The applicant, as a statutory undertaker and subject to section 85 of the Countryside and Rights of Way Act 2000, should make decisions that pay regard to the purpose of the nationally designated landscape and development in the setting of an AONB can negatively impact its statutory purpose.

Reasons for Partnership position:

- To meet purpose of AONB designation
- To maintain value of landscape to tourism industry: See Volume and Value study 2020 that identified tourism is worth £68M and supports 1,490 jobs
- To conserve all defined natural beauty indicators

Further considerations:

The proposed removal of the UK Power Networks 132kV line running adjacent to the National Grid asset as part of the project will lead to the existing National Grid line becoming a key detractor to the defined qualities of the AONB. The project should undertake an assessment the strengths and weaknesses of undergrounding the existing 400kV line at the same time as the removal of the 132kV line and replacement with a 400kV underground line.

## ii. **Stour Valley Crossing**

Partial undergrounding of this section is welcomed due to the minimisation of the impacts on the Stour Valley project area. However, the Partnership consider that the undergrounding should go further to avoid negative impacts as defined in the Alison Farmer Associates report in 2016 that evaluated the qualities of the landscape on Stour Valley project area.

Reasons for Partnership position:

- The aspiration for AONB boundary review to include part of the proposed development application area. The Alison Farmer Associates study in 2016 identified an area that in the opinion of the consultant met the criteria for AONB. Furthermore, the organisation with responsibility to develop AONB boundary reviews for consideration by the Secretary of State, Natural England, confirmed in March 2021 that the proposal for boundary variation was registered. See appendix 3.
- Lord Gardiner of Kimble, Parliamentary Undersecretary of State letter to President of Dedham Vale Society (4 May 2021) that noted:

*...proposals for the extension of the Dedham Vale AONB have not been formally assessed and that an extension has not, therefore, been ruled out for the future. I have also been assured that Natural England will communicate further with local proposers of National Park and AONB designations or variations in due course.*

Therefore, as an independent assessment (Alison Farmer Associates, 2016) of part of the area concluded that it meets the criteria for AONB designation. National Grid should take a precautionary approach and seek to meet corporate and social responsibility by treating the area as an AONB.

- The Glover Review of National Parks and AONBs, published in October 2019, noted:

*Ultimately, [sic] we think there should be a renewed vigour in the process for boundary changes,*

The landscape of the Stour Valley project area is recognised as making a significant contribution to the visitor economy in the area. It is worth £49M and supports 1,283 jobs. These figures are expected to grow substantially in future due to:

- Significant investment in the attractions of the Gainsborough's House Arts Centre in Sudbury.
- Increase in domestic holidays including visitors wishing to visit areas of cultural importance such as visit the Stour Valley which inspired Thomas Gainsborough, John Constable and many other artists.
- EU LEADER funding in the Stour Valley to enhance the visitor facilities in the area.
- Recognition of the importance of enhancing personal health and well being by undertaking informal recreation
- Increasing populations in surrounding towns, leading to larger potential audiences.

More National Grid infrastructure across the Stour Valley will greatly reduce the attraction of the area and the numbers of visitors.

Further considerations:

There has been resurgence in interest in the Stour Valley landscape that has seen significant National Lottery Heritage Fund investment in Gainsborough's House museum which will contribute to further interest in the Stour Valley project area in terms of landscape quality and value to tourism. This follows on from LEADER funded work to enhance the Stour Valley for visitors. Both projects will contribute to the value of the Stour Valley for the visitor economy at a time when the domestic visitor economy is recognised as becoming more important.

### **iii. Transitions/Cable Sealing end compounds/Sub stations**

While the Partnership welcome the ambition to minimise impacts on the defined qualities of the AONB and Stour Valley project area (as a Valued Landscape-see Alison Farmer Associates Valued Landscapes assessment of the Stour Valley project area, March 2020) from the transition infrastructure, it considers that these impacts should be fully assessed, in terms of landscape and visual impacts and impacts on the purpose of the AONB.

The AONB Partnership considers that further assessment of the overhead line between Leavenheath and Assington (section F) should be undertaken to assess if the undergrounding of this section would benefit the AONB through lessening visual impacts of lines viewed from the AONB and potential impacts of the Cable Sealing End Compounds.

Reasons for Partnership position:

- Impacts from any proposed transitions from overhead lines to underground cables, sealing end compounds and siting of sub stations should be minimised.

Further considerations:

If transitions are required, then they should be designed and located to minimise impacts on the AONB, Stour Valley project area and other areas of countryside to meet with section 85 of Countryside and Rights of Way Act (2000) responsibilities and the draft National Planning Policy Framework (2021) that states:

*any development within their settings should be sensitively located and designed to avoid adverse impacts on the designated landscapes*

### **Further evidence required**

The Dedham Vale AONB and Stour Valley Partnership consider that several additional variations are required to enable a fuller assessment of the impacts from the proposals. These are explained more fully in appendix 2 but listed below:

- Assessment of project impacts on the Natural Beauty and Special qualities of the AONB and Stour Valley project area
- Visualisations of transitions and towers to improve understanding of visual impacts
- Assessment of how National Grid meets section 85 of Countryside and Rights of Way Act 2000 responsibilities
- Assessment of how national Grid have treated the Stour Valley 'Valued Landscape'
- Assessment and opportunity mapping of impacts on cultural heritage
- Assessment of how the proposals will support delivery of Dedham Vale AONB and Stour Valley Management Plan
- Assessment of desirability or otherwise of undergrounding the existing 400kV line that crosses the AONB and Stour Valley project area at the same time as delivering the Bramford to Twinstead project

### **The Bigger picture**

In addition to the suggestion of evidence required above the Dedham Vale AONB and Stour Valley partnership consider that National Grid should provide information on:

- An assessment of the desirability of transmitting energy generated on and off the east coast being required to cross nationally designated landscapes.
- An assessment of a co-ordinated approach to the transmission of energy from where it is generated to where it is required, including factors relating to distance, cost and environmental impacts.
- Assessment of desirability or otherwise of undergrounding the existing 400kV line that crosses the AONB and Stour Valley project area at the same time as delivering the Bramford to Twinstead project.
- An assessment of the relative merits of overhead lines versus underground cables.



- An assessment of what impacts on visitor economy
- An assessment of the suitability of new technologies available for energy transition at this scale.
- An assessment of how the project has met the Holford rules as summarised in points 1 and 2 of optioneering report 3.3.4, Box 1. (avoiding AONBs and areas of High Amenity value).
- An indication of how proposals in Glover review of designated landscapes have been recognised in the proposals.

### **Detailed points on/questions arising from the Bramford to Twinstead: Project Development Options Report:**

References relate to paragraph numbers from Options report:

1.1.4: What is National Grid's expectation of the magnitude of continued electricity generation on and off the east coast and how long would the Bramford to Twinstead project be fit to accommodate this expansion?

1.1.5 Why are connection points issued where there are known problems of limited physical routes and ability to upgrade?

3.1.3 How has the duty of regard to the AONB from statutory undertakers been met in the Strategic Optioneering work?

3.1.4 Notes that decision making has been undertaken by prescribed bodies, who are these prescribed bodies and how have they met their duty of regard obligations to the AONB?

3.3.5 Do the Horlock Rules include the siting of Cable Sealing End Compounds

6.2.6 National Grid request for understanding views on:

- The landscape and cultural value of the Stour Valley.  
Enhanced evidence list to that submitted to National Grid (April 2021) identifies evidence to include:
  - State of AONB report 2018
  - Dedham Vale AONB and Stour Valley management plan 2016-21 and draft 2021-26
  - Valued Landscapes work (AFA)
  - Natural England letter March 2021 re confirmation Dedham Vale in boundary review being considered
  - Lord Gardiner of Kimble, Parliamentary Undersecretary of State letter to President of Dedham Vale Society (4 May 2021)
  - Value of tourism reports (2020 with 2019 figures) for Dedham Vale and separately for Stour Valley
  - Natural Beauty and Special Quality of Dedham Vale AONB (AFA)
  - Natural Beauty and Special Quality of proposed candidate area (part of Stour Valley) (AFA)
  - Use of Colour in design (Waygood Colour)

- Natural Beauty Evaluation Table - Stour Valley extension to Dedham Vale AONB - Wormingford to Sudbury (AONB Team)
  - National NCA (Natural England)
  - Local Landscape Character Assessment-Suffolk CC one includes Stour Valley project area, Braintree and Colchester LCAs, Babergh????
  - Managing a Masterpiece Historic Landscape Character Assessment
  - Stour Valley Farmer Cluster farm mapping (not publically available)
  - National Grid work on Visual Improvement Provision that assessed impacts of NG infrastructure in National Parks/AONBs
  - AONB Designation History
  - Policy re Stat duties relating to AONBs (inc setting)
  - Natural England (CoCo) Landscape Character Assessment of Dedham Vale from 1997
- Progress on proposals to extend the Dedham Vale AONB boundary in the Stour Valley towards Sudbury:
    - See Alison Farmer Associated work from 2016 that includes identification of an area in the Stour Valley project area identified as meeting AONB criteria. See appendix 3/
    - Natural England letter March 2021 re confirmation Dedham Vale in boundary review being considered
    - Lord Gardiner of Kimble, Parliamentary Undersecretary of State letter to President of Dedham Vale Society (4 May 2021)
  - The construction effects of undergrounding in the Stour Valley (see Section 3.4 of this report for more details); and
    - See point in ‘the bigger picture’ above’
  - Anything else National Grid should consider.
    - See ‘detailed points on/questions arising from the Bramford to Twinstead: Project Development Options Report’ section above:.

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**Appendix 1:  
Dedham Vale AONB and Stour Valley Partnership member organisations**

Babergh Mid Suffolk District Council\*  
Braintree District Council  
Campaign for Protection of Rural England (Essex)  
Colchester Borough Council\*  
Colne Stour Countryside Association  
Country Land and Business Association  
Dedham Vale Society  
Environment Agency  
Essex and Suffolk Rivers Trust  
Essex County Council\*  
Essex Wildlife Trust  
National Farmers' Union  
National Trust  
Natural England  
RSPB  
Stour Valley Farmer Cluster  
Suffolk County Council\*  
Suffolk Preservation Society  
Tendring District Council\*  
West Suffolk District Council

\* AONB Authorities

## **Appendix 2 Bramford to Twinstead – Additional Assessments**

### **Bramford to Twinstead – Additional Assessments**

The Dedham Vale AONB and Stour Valley Partnership consider the following matters will need to be considered as part of any future assessment of the impacts of the proposed Bramford to Twinstead project on the AONB and the Stour Valley project area

#### **A) Impact on Natural Beauty and Special Qualities**

Assessment of the impact of the proposals on the Natural Beauty and Special Qualities of both the Dedham Vale AONB and Stour Valley project area. To enable this, the assessment criteria in Box 5.1 of GLVIA 3 should be adapted to ensure that both of these can be fully analysed.

#### **B) Dedham Vale AONB and Stour Valley project area Landscape and Visual Impact Assessment (LVIA)**

The LVIA should include visualisations of the pylons and both the Sealing End Compounds and proposed substations to assist consultees in understanding the impacts of these within the designated Protected Landscape and Stour Valley project area.

#### **C) Dedham Vale AONB**

##### **Duty of Regard (section 85 Countryside and Rights of Way Act (2000) (CRoW)**

For the Dedham Vale AONB, The Dedham Vale AONB and Stour Valley Partnership consider will be necessary for National Grid to demonstrate how they have met their Duty of Regard obligations as required by section 85 of Countryside and Rights of Way Act 2000.

Section 85 states ‘that in exercising or performing any functions in relation to, or so as to affect, land in and AONB, authorities ‘shall have regard’ to their purpose, to conserve and enhance natural beauty. This is known as the Duty of Regard which applies to statutory undertakers, such as National Grid, as well as public bodies.

National Grid will therefore need to demonstrate how the Bramford to Twinstead proposal contributes to the conservation and enhancement of the AONB and its setting.

Where impacts cannot be avoided or mitigated, the proposal needs to identify potential to contribute to the broader conservation and enhancement of the AONB and Stour Valley through effective compensation for residual impacts.

#### **D) Stour Valley**

##### **Valued Landscape considerations**

Paragraph 170(a) of the National Planning Policy Framework, which is a material consideration in the Development Consent Order process, states that ‘Planning policies and decisions should contribute to and enhance the natural and local environment by: a) protecting and enhancing valued landscapes, sites of biodiversity

or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan).

National Grid should identify the characteristics along the proposed route within the Stour Valley, that help define it as a valued landscape. The AONB team commissioned Alison Farmer Associates to produce a Valued Landscape Assessment Report specifically for the Stour Valley Project Area. This looks at the Project Area as a valued landscape at the valley scale and includes a useful methodology that National Grid could employ or adapt for use in a finer grain assessment.

Any additional Valued Landscape Assessment should identify the characteristics that give the Stour Valley its value and assess how these would be impacted by the proposal along the length of the proposed transmission route.

### **E) Dedham Vale AONB and Stour Valley project area Cultural Heritage**

The Dedham Vale AONB and Stour Valley Partnership consider that National Grid should undertake an impact assessment and an opportunity mapping exercise of proposal on cultural heritage. This should be at an appropriate scale in the route corridor across the AONB and Stour Valley project area to identify impacts and opportunities to enhance the cultural nature of the landscape.

This would include:

- Associations with artists representations including, but not limited to, Gainsborough and Constable
- Interpretation of the historic built environment
- Projects to enhance the conditions of visible and underground archaeology
- Enhance the associations of people and place, including events

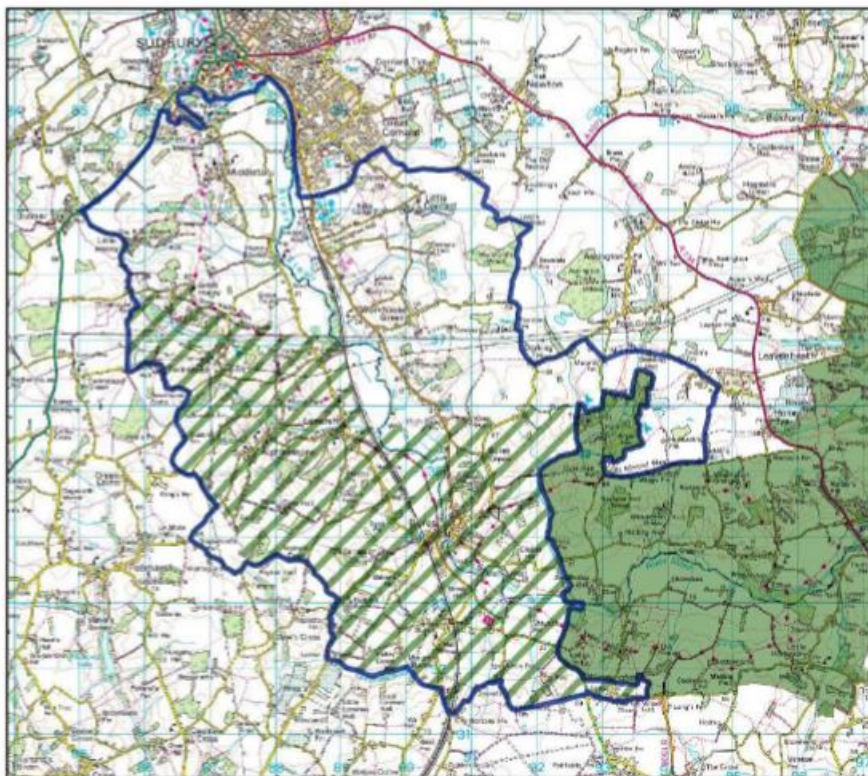
### **F) Dedham Vale AONB and Stour Valley Project Area Dedham Vale AONB and Stour Valley Management Plan**

The proposal will need to be assessed against the objectives in the Dedham Vale AONB and Stour Valley Management Plan 2016-2021 or its successor, including how the project would meet the objectives and to identify opportunities to deliver relevant objectives of the Management Plan

### **G) Dedham Vale AONB and Stour Valley Project Area Impacts on volume and value of tourism industry**

The proposals should be assessed for impacts to the areas known volume and value of tourism from the 2020 study (2019 figures)

### Appendix 3: Map of area assessed as meeting AONB criteria



#### Special Qualities of the Dedham Vale Landscape

Drawing 4: Proposed Candidate Area  
March 2016



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Ordnance Survey 0100021673

-  Dedham Vale AONB
-  Evaluation Area
-  Potential Candidate Area