

**Bramford To Twinstead  
Examining Authority Questions to AONB Partnership for DL3 (31 Oct 2023)**

Ref	Who to	Question	Response
LV1.9.1	<p>Natural England</p> <p>Local planning authorities</p> <p><b>Dedham Vale AONB and Stour Valley Partnership</b></p> <p>The PCs of Assington, Bures St Mary, Leavenheath, Little Cornard, Polstead and Stoke by Nayland</p>	<p>Having seen the information from the Applicant in ES Appendix 6.2 Annex A, Dedham Vale AONB Approach and Identification of Setting Study [APP-099], and its comments on RRs (e.g., section 2.12, section 2.13, page 64, section 3.9, page 113) [REP1-025], explain any outstanding concerns that you may have in relation to the Applicant's definition of, and assessment of impacts on the setting of the Dedham Vale AONB.</p>	<p>The Dedham Vale AONB and Stour Valley Partnership consider that the applicant has underplayed the effects of the project on views from the nationally designated landscape in :<i>Appendix 6.2 Annex A, Dedham Vale AONB Approach and Identification of Setting Study [APP-099]</i>, for example:</p> <ul style="list-style-type: none"> <li>• Views out from the AONB from Keppers Lane near TL 962 394 will include views of new 400kV line (rather than smaller existing 132kV line).</li> </ul> <p>With respect to the applicant's comments in Relevant Representations:</p> <p>[REP1-025] Section 2.12: The Dedham Vale AONB and Stour Valley Partnership welcome proposals to underground sections in the Stour Valley project area and to the revised location of the Stour Valley West Cable sealing Compound and the use of trenchless construction methods to avoid impacts on important wildlife habitats and most residential receptors.</p> <p>It notes that the route as proposed will include an overhead line section between the Dedham Vale West Cable Sealing End Compound and Stour Valley East Cable Sealing End Compound. It considers that should new policy drivers or evidence of harm to the AONB from the proposals relating to this stretch, further consideration for extending the undergrounding of the cables should be made and form part of the project.</p>

			<p>[REP1-025] Section 2.13: The Dedham Vale AONB and Stour Valley Partnership considers that the proposed revised location of the Dedham Vale East Cable Sealing End Compound will not cause significant harm to the AONB but that local receptors should be considered.</p> <p>[REP1-025] Section 3.9: The Dedham Vale AONB and Stour Valley Partnership consider that the applicant is underplaying the assessed impacts on the AONB in the statement from this document:</p> <p><i>The natural beauty indicators of the AONB - notably scenic quality, relative wildness and relative tranquillity would be adversely affected. Given however that these significant adverse effects would be experienced relatively locally within approximately 1km of the LoD and would be short term, temporary and mainly reversible, it is not considered that the overall integrity of the AONB would be affected.</i></p> <p>It considers that the nationally designated landscape is a single entity and as such impact to part of the AONB is an impact to the entity of the AONB.</p> <p>The Dedham Vale AONB and Stour Valley Partnership broadly welcome the undergrounding of cables through the nationally designated landscape, noting the care required to minimise negative impacts on important habitats and archaeological assets. It notes that the driver for undergrounding is national policy (para 2.9.20 National Policy Statement for Electricity Networks Infrastructure (EN-5)) and it should not be seen as compensation for the negative impacts of the scheme during construction, particularly on the natural beauty indicators of scenic quality, relative wildness and relative tranquillity.</p>
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LV1.9.3	<b>Dedham Vale AONB and Stour Valley Partnership</b>	<p>Your RR [RR-028] raised the matter of how the Proposed Development would impact on the ability to deliver the AONB's statutory purpose, without further detail. Having seen the Applicant's comments on your RR [REP1-025], can you elaborate on any outstanding concerns in relation to this?</p>	<p>The Dedham Vale AONB and Stour Valley Partnership broadly welcomes the applicant's proposal to underground cables through the nationally designated landscape which it believes is driven by national policy (para 2.9.20 National Policy Statement for Electricity Networks Infrastructure (EN-5)).</p> <p>Furthermore, it notes rule 1 of the Holford rules, on the guidelines for routing high voltage overhead transmission lines which states that areas of the highest amenity value (including AONBs) should be avoided. The Dedham Vale AONB and Stour Valley Partnership recognise the argument put forward by the applicant to not follow rule 1 of Holford.</p> <p>The Dedham Vale AONB and Stour Valley Partnership consider that there will be a significant impact on the ability of the AONB to deliver statutory purpose during the construction of underground cables. The applicant states that the construction period could be up to 6 years (para 4.4.4 2.1 Preliminary Environmental Information Report Volume 1 Main Report January 2022).</p> <p>Para 1.4.5 of the Preliminary Environmental Information Report Volume 1 Main Report January 2022 notes that</p> <p><i>The draft Order Limits within the underground cables sections are typically 100m wide. However, within that 100m, there would be a 80m construction working width (or area National Grid   January 2022   Bramford to Twinstead Reinforcement 5 when considered along a given length of the section). The additional 20m is included within the draft Order Limit width to provide flexibility for any unforeseen conditions.</i></p>
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			The Dedham Vale AONB and Stour Valley Partnership consider that the impacts of delivering c4km of undergrounding works in the AONB will have significant on those areas affected to deliver statutory purpose, to conserve and enhance natural beauty during the construction period.
LV1.9.4	Natural England  Local planning Authorities  <b>Dedham Vale AONB and Stour Valley Partnership</b>	Proposed Development's effects on the special qualities of the AONB? Do you agree with the Applicant's conclusions in this regard, and, if not, why not?	<p>The Dedham Vale AONB and Stour Valley Partnership broadly agree with part of the conclusions in para 4.1.1 of APP-098 Document 6.3.6.2: ES Appendix 6.2 Assessment of Effects on Designated Landscapes April 2023 that state:</p> <p><i>Significant adverse landscape effects during construction are predicted for the AONB and Stour Valley SLA, however only a localised part of the designation within approximately 1km of the LoD [Limits of Deviation] would be affected.</i></p> <p>Where the Dedham Vale AONB and Stour Valley Partnership disagree is the reference to localised part of the designation. It considers the designation is a single entity and that damage to part of the AONB (temporary or otherwise) is damage to the AONB.</p> <p>The Dedham Vale AONB and Stour Valley Partnership further questions para 4.1.3 of APP-098 Document 6.3.6.2: ES Appendix 6.2 Assessment of Effects on Designated Landscapes April 2023 that state:</p> <p><i>Significant beneficial effects are predicted for the AONB and Stour Valley SLA from the removal of the existing 132kV overhead line in association with the 400kV underground cables and trenchless crossings.</i></p> <p>The Dedham Vale AONB and Stour Valley Partnership consider that these benefits have been overplayed as the existing 400kV</p>

			line will remain in situ and the removal of the smaller 132kV line will not lead to significant beneficial effects as the existing structure will still be dominant in the landscape.
LV1.9.5	The Applicant  <b>Dedham Vale AONB and Stour Valley Partnership</b>	A number of AONB policy and management documents have been mentioned in submissions into the Examination, including: 'the AONB Management Plan' and six position statements on key issues affecting the AONB (including the 'Dedham Vale AONB Position Statement: Development in the Setting of the Dedham Vale AONB') (ES Appendix 6.2 Annex A, Dedham Vale AONB Approach and Identification of Setting Study [APP-099]); the 'Dedham Vale AONB and SVPA Management Plan (2016-2021)'; the 'Dedham Vale AONB and SVPA Management Plan (2021-2026)'; and the 'Dedham Vale Area of Outstanding Natural Beauty: Natural Beauty and Special Qualities document' [RR-028]. Which of these do you believe to be important and relevant to the considerations of the ExA and SoS, and do any of them need to be submitted into the	<p>The Dedham Vale AONB and Stour Valley Partnership note that sec 89 para 2 of the Countryside and Rights of Way Act (2000) places a requirement on local authorities to prepare and publish a plan which formulates their policy for the management of the area, see <a href="https://www.legislation.gov.uk/ukpga/2000/37/section/89">https://www.legislation.gov.uk/ukpga/2000/37/section/89</a></p> <p>Furthermore, statutory undertakers and public bodies (noting that the Dedham Vale AONB and Stour Valley Partnership consider the applicant is a statutory undertaker and the planning inspectorate a public body) are currently required to pay regard to the statutory purpose of the AONB which it considers is described in the AONB Management Plan. See section 85 of the Countryside and Rights of Way Act (2000) see <a href="https://www.legislation.gov.uk/ukpga/2000/37/section/85">https://www.legislation.gov.uk/ukpga/2000/37/section/85</a></p> <p>It may be worth noting that an amendment to the Levelling Up and Regeneration Bill is currently waiting for Royal ascent to change the section 85 duty from have regard to the purpose of conserving and enhancing the natural beauty to seek to further the purpose of conserving and enhancing the natural beauty.</p> <p>The amendment was passed, follow a Third Reading on 26 Sept 2023. See <a href="https://parliamentlive.tv/event/index/76159bab-ff35-4bc4-ae3e-fa614bc18198?in=12:08:57">https://parliamentlive.tv/event/index/76159bab-ff35-4bc4-ae3e-fa614bc18198?in=12:08:57</a></p> <p>The published amendment is at: <a href="https://bills.parliament.uk/publications/52707/documents/3952">https://bills.parliament.uk/publications/52707/documents/3952</a> (see page 5)</p>

		Examination as a consequence?	<p>AONB management plans are reviewed every five years. The Dedham Vale AONB and Stour Valley Partnership consider the current plan that runs 2021-2026 to be the relevant AONB Management Plan. It can be downloaded from <a href="https://www.dedhamvalestourvalley.org/managing/management-plan/">https://www.dedhamvalestourvalley.org/managing/management-plan/</a></p> <p>Dedham Vale AONB and Stour Valley Partnership consider the following Position statement should be given appropriate weight when determining the application:</p> <ul style="list-style-type: none"> <li>• Development in the setting (Revised 2016)</li> </ul> <p>It further considers its published guidance on:</p> <ul style="list-style-type: none"> <li>• Natural Beauty and Special Qualities of the AONB,</li> <li>• Valued Landscape Assessment Stour Valley Project Area</li> <li>• The Selection and Use of Colour in Development</li> <li>• Lighting Guidance for the National Landscapes</li> </ul> <p>The Dedham Vale AONB and Stour Valley Partnership consider the above documents to be relevant when determining the application.</p> <p>Where possible these documents were uploaded at a similar time to the responses to the ExAQ1. Where files are too large The AONB Partnership has approached <a href="mailto:bramfordtotwinstead@planninginspectorate.gov.uk">bramfordtotwinstead@planninginspectorate.gov.uk</a> to discuss ways of sharing documents.</p>
LV1.9.6	Natural England  Local planning	Do you consider that the information submitted by the Applicant in its comments on RRs [REP1-025] (e.g., page	The Dedham Vale AONB and Stour Valley Partnership considers the applicant has met its duty to pay regard to the purposes of the AONB but as stated in response to question LV1.9.3 it does not concur with the analysis relating to impacts

	<p>Authorities</p> <p><b>Dedham Vale AONB and Stour Valley Partnership</b></p>	<p>92 and page 113 ff) is sufficient to conclude that the Applicant properly addressed its duty of regard to the purpose of the AONB as described in section 85 of the Countryside and Rights of Way Act (2000)? If not, why not?</p>	<p>on the wider AONB integrity (as AONB is single entity and harm to part of it is harm to whole), that 400kV lines will remain in situ despite removal of 132kV lines so electricity infrastructure will still be a significant landscape feature and harm to AONB during construction, noting benefits of undergrounding are limited to operational phases and are policy driven in the AONB.</p>
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