

# POLSTEAD PARISH COUNCIL

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**The Parish Councils of Assington, Bures St Mary, Leavenheath, Little Cornard, Polstead & Stoke by Nayland**

## **Combined response to the statutory consultation on National Grid's proposed Bramford to Twinstead Reinforcement**

As the representatives of six communities covering a continuous stretch towards the western end of the proposed development, the Parish Councils seek to offer their feedback in response to the statutory consultation. **The views expressed in this document are shared by all six Parish Councils.** Each Council may also add further views on localised issues not covered by this combined response.

The Parish Councils would like to begin by emphasising their understanding of the need for the project in the context of the UK's predicted energy requirements and strategy for decarbonising. While we accept the strategic importance of the proposed reinforcement, we believe it is vital that the effect of the new line on our parishes, both in construction and operation, be fully managed and mitigated where possible. Three key areas of the proposal have strong support from this group:

- **Undergrounding through the AONB and Stour Valley Project Area (Sections E and G):** the natural beauty of the whole of our area is highly valued both by residents and visitors, providing economic foundations to the large number of businesses that support tourists who visit the area. For this reason, we support the decision to underground these elements of the line. We are also pleased to note in the latest proposals that National Grid (NG) plans to pull the new power cables through pre-install ducts, rather laying those cables in open trenches in the underground sections.
- **Location of the proposed Dedham Vale East CSEC (Section D/E):** we are pleased that this facility has been moved to an improved location to the east of its previous positions, although we believe that further improvements to the location should be considered.
- **Location of the proposed Stour Valley East CSEC:** we believe this is well considered, being in a natural depression and therefore largely hidden from the Stour Valley landscape.

However, we also share serious and meaningful concerns about other aspects of the development, which we appeal to have taken into account in the preparation of the Draft Consent Order.

### **The Case for Further Undergrounding**

We understand and support the proposals for undergrounding the new 400kV cables through Sections E and G of the scheme, and recognise that this is consistent with the presumption contained in the recently published policy statement from BEIS "*when proposed developments cross part of a designated landscape*".<sup>1</sup> However, we believe that strong justification exists for expanding the undergrounding proposals to include (i) all of Section F through Leavenheath and Assington and (ii) moving the Dedham Vale East CSEC in Section E in an easterly direction to a location within the existing quarry in Lower Layham.

The National Planning Policy Framework gives designated landscapes such as AONBs the highest status of protection. It asserts that great weight should be given in relation to conserving and enhancing the landscape and scenic beauty.<sup>2</sup> In particular, the framework provides that planning decisions should protect and enhance natural landscapes whilst recognising the intrinsic character and beauty of the countryside.<sup>3</sup> Central to this policy is the concept of the "setting" of a protected landscape, as described in comprehensive detail by the Dedham Vale AONB Position Statement (November 2016) which takes the view that (i) the setting of an AONB does not have a geographical border, and (ii) in national policy terms, adverse impacts such as the blocking or interference of **views out of the AONB** carry the same weight as adverse visual impacts from developments

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<sup>1</sup> BEIS Draft National Policy Statement for Electrical Networks Infrastructure (EN-5) (Sept 2021); ¶ 2.11.13

<sup>2</sup> MHCLG National Planning policy Framework (2021), ¶ 176

<sup>3</sup> MHCLG National Planning policy Framework (2021), ¶ 174

**within the AONB.**<sup>4</sup> This is also recognised by the BEIS Draft National Policy Statement which explicitly states that, even in locations where part of a proposed development sits outside of a designated landscape, “a high potential for widespread and significant adverse landscape and/or visual impacts may nonetheless recommend undergrounding the relevant segments of the line.”<sup>5</sup>

It is our joint opinion that the entire length of Section F falls within this description, as demonstrated by the fact that the existing 400kV and 132kV transmission towers form a very obvious skyline interference when viewed from parts of either the Dedham Vale AONB or the Stour Valley Project Area, to the extent that the pylon lines constitute an adverse impact on the baseline characteristics of the settings of both protected areas.

We apply similar reasoning to promote undergrounding of the section of route immediately to the east of the proposed Dedham Vale East CSEC, which should be further relocated to within Lower Layham Quarry (see below).

At each of these locations, we assert that the introduction of new and more intrusive overhead lines with much higher towers, sited further from the existing 400kV line than the existing 132kV one, would create widespread and significant adverse landscape and/or visual impacts on highly sensitive visual receptors<sup>6</sup> out-from and in close proximity to nationally designated landscapes.<sup>7</sup> It is our contention that, in each instance, the visual and landscape conservation benefits accruing from undergrounding in these two further areas will clearly outweigh any additional economic, social or environmental impacts.

The additional undergrounding proposals outlined above would enjoy overwhelming support from residents and businesses along the entire western half of the route. By way of example, a December 2018 survey of Assington residents undertaken in preparation for its recently approved Neighbourhood Plan found 95% approval for undergrounding of new power lines through the parish, underlining the importance of the issue. Similarly, in its own Neighbourhood Plan survey of November 2019, Leavenheath Parish Council found that over 98% of households regarded the preservation of the AONB as important, and it is the Parish Council’s aspiration to seek extension of the AONB into its area. Overgrounding of the new line through Leavenheath could be prejudicial to this.

### **Cost Transparency**

We strongly believe that more granular cost data should be published, to allow for independent assessment of the incremental costs of measures to improve the scheme, for example the proposal to underground through Section F, as well as other environmental mitigation measures, in order to allow the Secretary of State to balance this cost against the economic impact on tourism to our communities, and the disbenefit to residents, visitors and local businesses in terms of visual amenity, impact on wildlife life, and the tranquillity of the rural landscape.

Both the Dedham Vale AONB and the Stour Valley Project Area produce ‘Volume & Value’ surveys to quantify the impact of tourism on the local area. For 2019 these identified 952,300 (Dedham Vale) and 934,100 (Stour Valley) tourist visits, with a combined total tourism value of £117.7m to the local economy and supporting 1,988 full-time equivalent jobs. The impact of the proposed line, both in construction and operation, should be evaluated in the context of this vitally important driver of the local economy.

### **Concerns over Temporary (Construction) and Permanent (Maintenance) Access Arrangements**

Construction and maintenance traffic is a major concern for all our communities. Rural lanes are mostly narrow, and often have high banks. Traffic volumes have increased over the past decade, with significant numbers of walkers, cyclists, horse-riders and local business users including agricultural vehicles. Many of our lanes have been, or are about to be, designated ‘Quiet Lanes’ under a recent Suffolk County Council initiative including Harrow Street in Leavenheath, Barracks Road & Marshalls Green in Assington and Upper Road in Dorking Tye. Construction traffic would add to the existing danger for road users and increase both the volume and size of vehicle traffic. NG must work to improve road safety and avoid damage to minor roads as a result.

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<sup>4</sup> Dedham Vale AONB Position Statement (2016), Development in the setting of the Dedham Vale Area of Outstanding Natural Beauty

<sup>5</sup> BEIS Draft National Policy Statement for Electrical Networks Infrastructure (EN-5) (Sept 2021); ¶ 2.11.14

<sup>6</sup> As defined by Landscape Institute’s Guidelines for Landscape and Visual Impact Assessment and referenced in BEIS Draft National Policy Statement for Electrical Networks Infrastructure (EN-5) (Sept 2021); ¶ 2.11.14

<sup>7</sup> BEIS Draft National Policy Statement for Electrical Networks Infrastructure (EN-5) (Sept 2021); ¶ 2.11.14

We support NG's proposal to use 'haul roads' along the length of the undergrounded sections, which should be accessed exclusively from major roads such as A134, avoiding the use of narrow lanes. We believe that the haul roads should also be used for the construction of CSECs, and any remaining overground sections where appropriate.

We are pleased that discussions are taking place regarding suitable locations for permanent access roads, but are concerned that, to date, no formal proposals have been made with regard to the Stour Valley East CSEC in particular. We would ask that councils be consulted as early as possible to avoid causing unnecessary anxiety to residents. An example would be the proposal to put a construction access road from the top of Spout Lane in Little Cornard which we now understand has been removed.

Where possible, routes must be sited away from narrow lanes carrying significant vehicle traffic. In many instances there are existing tracks from main roads which could be used, depending on the weight of traffic. We also note that undergrounding the section through Leavenheath and Assington would create the opportunity to extend the haul road through this section, provide direct access from the A134 and avoid significant impacts on local rural roads.

### **Location of the Dedham Vale East CSEC**

Whilst we acknowledge that NG has moved the compound from two possible locations closer to the AONB boundary, the currently proposed location is still prominent, and the suggested mitigation scheme of tree planting would take a generation to be effective.

From as early as 2012, Polstead Parish Council has advocated the use Layham Quarry for the Dedham Vale East CSEC. This brownfield land is a dormant quarry previously used for the extraction of sand and gravel. It enjoys low-lying topography and mature natural tree-screening that would mask an industrial compound. Using this site would require an additional kilometre of undergrounding, which would be justified by improved amenity value to the surrounding communities, both within and outside the AONB. The site also benefits from excellent road access from the B1071, is purpose built for HGVs carrying aggregates, and would serve as an ideal construction site and possible source of materials for the scheme. Whilst the quarry has unexploited mineral reserves, these lie under agricultural land to the south of the quarry and would not be impacted by the siting of the CSEC.

We urge NG to bring this option back to the table.

### **Mitigating Environmental Impact**

We are pleased that priority is to be given to Environmental Mitigation. We would ask that local communities be consulted by NG and its advisers over proposed environmental enhancement schemes and sites with a view to finding alternatives that provide a greater capacity for expanding habitats whilst also providing opportunities for residents and visitors to enjoy the natural environment.

### **Electric & Magnetic Field (EMF) Exposure Risks**

Many residents are concerned about the risk to health from the passage and adjacency of two largely parallel 400kV lines in proximity to dwellings. We note that this issue has been scoped out of the environmental impact assessment on the basis of assurances provided by NG.

We urge NG to publish the data on which those assertions are made so we can be certain that this issue is appreciated by those charged with approving the Draft Consent Order.

### **Cumulative Impacts**

We welcome the announcement from NG that, regardless of future network enhancement schemes, the Bramford to Twinstead route will not be considered for future reinforcement by means of a third overhead line.

However, we remain extremely concerned that NG is not evaluating the cumulative impacts of this project in relation to future related developments. We believe this to be its obligation, originally inscribed in EU directive

and confirmed in case law.<sup>8</sup> Since the end of UK's post-Brexit transition period, the High Court has confirmed the retention of the relevant directive into UK environmental (EIA) law, highlighting an earlier set of principles established by the Court of Appeal that confirmed a promoter's duty to properly consider and weigh cumulative impacts.<sup>9</sup>

We are concerned that NG has not set out the full list of planned power transmission projects and will continue to resist attempts to assess their cumulative impacts on the region, notably on tourism, as part of its Draft Consent Order. We believe that NG has a duty to incorporate the likely impacts of all forthcoming infrastructure projects in its assessment of this scheme, and we strongly request that all be scoped in.

### **Addendum by Polstead Parish Council**

#### Health Concerns and EMF Exposure Risks

In publishing the data requested above, Polstead Parish Council would to see NG address the three authorities set out below.

The WHO EMF Environmental Health Criteria Monograph No 238 states

“ the few new epidemiological and animal studies that have assessed ELF exposure and cancer do not change the previous assessment that ELF magnetic fields are a possible carcinogen and might contribute to an increase in childhood leukaemia.”

The International Association for Research on Cancer (IARC) continues to classify the risk as 2B

This is a risk that must be negated at all costs and as a Council we would wish to see the lines are undergrounded through our village and that NG at all times complies with policy from Public Health England (PHE) “ in developing a route for connection the NG will seek to maximise the distance from settlements, residential properties and schools”

We would request that a minimum safe be observed according to agreed standards and we note that a recommendation of 100 metres is made for 400V.

Submitted by

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Clerk to Polstead Parish Council

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<sup>8</sup> R (Pearce) v Secretary of State for BEIS [2021] EWHC 326 (Admin). The essential principle (at ¶120): “*The effect of Directive 2011/92/EU, the 2009 Regulations and the case law is that, as a matter of general principle, a decision-maker may not grant a development consent without, firstly, being satisfied that he has sufficient information to enable him to evaluate and weigh the likely significant environmental effects of the proposal (having regard to any constraints on what an applicant could reasonably be required to provide) and secondly, making that evaluation.*”

<sup>9</sup> R (Larkfleet Limited) v South Kesteven District Council [2016] Env. L.R. 76, which includes: “*But the mere fact that two sets of proposed works may have a cumulative effect on the environment does not make them a single project for the purposes of EIA. They may instead constitute two projects the cumulative effects of which must be assessed ([36])*”.