

AONB Office
Highways Depot
Dock Lane
Melton
IP12 1PE

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By email only:

eastangliaonenorth@scottishpower.com
eastangliatwo@scottishpower.com

Dear SPR

Suffolk Coast & Heaths AONB Partnership response to EA2 and EA1N phase 3.5 consultation

The Suffolk Coast & Heaths Area of Outstanding Natural Beauty (AONB) Partnership thank ScottishPower Renewables for the opportunity to comment on its further phase of consultation. The AONB Partnership acknowledges the important part that renewable energy can provide in the nation's energy mix.

The AONB Partnership

The Partnership was formed in 1993, it comprises public, private and voluntary organisations who are committed to conserving and enhancing the Natural Beauty of the AONB. The Partnership's role is to oversee delivery of the AONB Management Plan. It meets at least twice a year to discuss significant issues in the AONB, and delivery of the Plan. The AONB Partnership consists of:

Suffolk County Council, Essex County Council, Babergh District Council, Suffolk Coastal District Council, Tendring District Council, Waveney District Council, Ipswich Borough Council, Country Land and Business Association, The Crown Estate, Defra, Historic England, Environment Agency, Forestry Commission, Haven Gateway Partnership, National Farmers' Union, National Trust, Natural England, Royal Society for the Protection of Birds, Suffolk Association of Local Councils, Community Action Suffolk, Suffolk Coastal Business Forum, Suffolk Coast Ltd, Suffolk Farming & Wildlife Advisory Group, Suffolk Preservation Society, Suffolk Coast Against Retreat, Suffolk Wildlife Trust.

It should be noted that:

Many of these partners are public bodies or statutory undertakers which have the duties to conserve and enhance the Natural Beauty of the AONB as set out in section 85 of the Countryside and Rights of Way Act (2000). It is anticipated that

these partners, and other members of the partnership will provide separate consultation responses to the information provided for the phase 3.5 consultation that reflect these and other interests and responsibilities.

The AONB Partnership response to phase 3.5 consultation information

The AONB Partnership have seen information produced by ScottishPower Renewables which relates to the development of EA1N and EA2 produced for the phase 3.5 consultation.

The AONB Partnership consider that the major development proposal in the nationally designated AONB, ie at the Broom Covert site, should be avoided.

While supporting renewable energy production, the AONB Partnership considers bringing power ashore and through a nationally designated landscape should be avoided.

This is an AONB Partnership response and, in that regard, has sought to address issues in a level of detail that all Partners can support.

For the avoidance of any doubt, the AONB Partnership includes members of Local Authorities, statutory consultees and others, who it is anticipated will be making their own responses to the consultation reflecting their duties under section 85 of the Countryside and Rights of Way Act (2000) and other interests. It is noted by the AONB Partnership that many partners are custodians of Natural Beauty indicators and the special qualities of the AONB as defined in the Natural Beauty and Special Qualities document endorsed by the AONB Partnership. This document is available on the Suffolk Coast & Heaths AONB website.¹

This section gives a brief overview of the Suffolk Coast & Heaths AONB Partnership response to the EA1N and EA2 phase 3.5 consultation. Further thoughts developing these views are provided later in the response.

- I. The AONB Partnership considers that siting major energy infrastructure in the nationally designated landscape to be **contrary to national and local policy**.
- II. The AONB Partnership consider that ScottishPower Renewables and those that offer network connections **should further investigate alternative options for bringing offshore generated energy ashore**, in particular where those onshore sites are designated landscapes.

¹ Natural Beauty and Special Qualities of the Suffolk Coast & Heaths AONB available at <http://www.suffolkcoastandheaths.org/assets/Planning/V1.8-Natural-Beauty-and-Special-Qualities-of-SCH-AONB.pdf>

- III. The AONB Partnership is **disappointed that the consultation has been re-opened**, and that further resource has been called on to respond to the consultation.
- IV. The AONB Partnership consider there to be **a lack of clarity on whether the Broom Covert site is deliverable** given its current status as a site that has identified as a reptile receptor site for another major development proposal.
- V. The AONB Partnership note several **potential disadvantages of the Broom Covert site**, these are detailed later in this response.
- VI. Although not part of phase 3.5 consultation, the AONB Partnership remain extremely concerned about the **significant adverse impact upon the factors for designation of the AONB** resulting from the offshore infrastructure associated with EA1N and EA2.

This section provides further detail of the Suffolk Coast & Heaths AONB Partnership response to the phase 3.5 consultation on EA1N and EA2, building on the summary thoughts above, ie providing further thoughts on points I-VI above:

- I The AONB Partnership considers that siting major energy infrastructure in the nationally designated landscape to be contrary to national and local policy.
 - A) Overarching National Policy Statement for Energy (EN1), particularly para 5.9.9, that states:

Development proposed within nationally designated landscapes [section title]

5.9.9 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 considers that to conform to EN1 that the proposed development should not be in the nationally designated landscape.

The National Policy Statement goes on to say in para 5.9.10:

5.9.10 Nevertheless, the IPC may grant development consent in these areas in exceptional circumstances. The development should be demonstrated to be in the public interest and 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, taking account of the policy on alternatives set out in Section 4.4; and*
- *any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.*

The AONB Partnership consider that ScottishPower Renewables have already identified sites outside the nationally designated AONB during a site selection process that the developer considered suitable and indeed a preferred option was identified before this further round of consultation.

The AONB Partnership consider a development at the Broom Covert site would have an adverse impact upon the tourism economy² in the AONB that is worth £210,000,000 and supports 4,655 jobs.

Given the points raised in the two paragraphs above **the AONB Partnership do not consider there to be exceptional circumstances in this case** and that major development should not be undertaken in the AONB in this case.

B) Section 85 of the Countryside and Rights of Way Act (2000) that states:

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.*

The AONB Partnership considers that **ScottishPower Renewables as a statutory undertaker has not paid sufficient regard to the purpose of conserving and enhancing the AONB** in proposing a development proposal of this nature in the nationally designated landscape and should therefore should not take the Broom Covert site forward.

C) The statutory Suffolk Coast & Heaths AONB Management Plan 2013-18³ outlines within its 25 year vision for the area that:

² Economic Impact of Tourism in the Suffolk Coast & Heaths AONB 2017, available from AONB team

³ Suffolk Coast & Heaths AONB Management Plan at <http://www.suffolkcoastandheaths.org/assets/AONB-Management-Plan-20132018.pdf>

Energy production infrastructure does not detract significantly from the landscape and scenic beauty of the AONB

The AONB Partnership considers that the **ScottishPower Renewables proposals for development at Broom Covert do not conform to the statutory AONB Management Plan.**

- II The AONB Partnership consider that ScottishPower Renewables and those that offer network connections should further investigate alternative options for bringing offshore generated energy ashore, in particular where those onshore sites are designated landscapes.

The AONB Partnership considers that the identification of connection points has not paid regard to the purposes of the nationally designated AONB. While the AONB Partnership accepts that this point is not part of the specific EA1N and EA2 phase 3.5 consultation we consider it to be a valid point in the wider discussion on locating infrastructure in this area.

The AONB Partnership does not consider that the development proposals have fully considered alternatives to bringing ashore cables in and through the nationally designated landscape.

The AONB Partnership notes on the consideration of offering connection points and the points of generation and supply that the Electricity Act (1989) states:

1 In formulating any relevant proposals, a licence holder or a person authorised by exemption to generate, distribute, supply or participate in the transmission of electricity

(a) shall 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

(b) shall do what he 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

The AONB Partnership considers that ScottishPower Renewables should work with those offering connection points to consider alternatives of any offshore cable being brought ashore through a designated landscape (landscape or biodiversity). This should form part of any Major Development Test (aka Silken Test).

The AONB Partnership would wish to see connections to the distribution networks away from the nationally designated landscape.

- III The AONB Partnership is disappointed that the consultation has been re-opened, and that further resource has been called on to respond to the consultation.

The AONB Partnership ask whether there would be an opportunity to open the consultation again if it did not agree with the ScottishPower Renewables preferred location following this round of consultation as appeared to be the case at phase 3 consultation.

The AONB Partnership does not consider there to have been a clear justification to support a move away from the previously preferred site as the Broom Covert site is not suitable on policy grounds or whether it is a deliverable option given its current status.

There is further frustration that the consultation has been re-opened as the limited resources of the AONB team and Partnership have had to be re-deployed to formulate a further response. The AONB Partnership considered that the policy driven preference in the earlier round of consultation should have sufficed and are surprised to see the consultation open again with a decision to be made between the original preference and a site within the nationally designated AONB, which it considers to be wholly unacceptable.

The AONB Partnership consider that the information provided in section 2.6 of the phase 3.5 consultation information should have further noted (in section 2.6 Broom Covert, Sizewell Site Considerations) that this site is within the nationally designated AONB.

It is further noted that section 3.3 of the phase 3.5 consultation information does not acknowledge, on the maps provided, the fact that this site is within the nationally designated AONB and therefore subject to different policy and that the comparison between Broom Covert and Grove Wood should acknowledge this. It is further noted that the AONB boundary does not appear on any of the figures throughout the phase 3.5 consultation documents which is considered an omission due to the different policy drivers associated with designated and non-designated sites.

- IV The AONB Partnership consider there to be a lack of clarity on whether the Broom Covert site is deliverable given its current status as a site that has identified as a reptile receptor site for another major development proposal.

The Broom Covert site is currently a site *that*:

has been converted into an extensive receptor site to enable the translocation of reptile populations away from the main Sizewell C development site, in advance of the construction. The extent of the receptor site has been discussed and agreed with Natural England and other stakeholders.⁴

⁴ Para 2.5 page 4 EA2 and EA1N phase 3.5 consultation Information available at https://www.scottishpowerrenewables.com/userfiles/file/EA1N2_Phase_3.5_Consultation_Information_Leaflet.pdf

It has not been made clear in the consultation documents whether the Broom Covert site is deliverable, let alone desirable, and this brings a deal of uncertainty to the process and blight to Leiston and Sizewell residents. Suitable alternatives have not been made public and there has been no assurance that statutory agencies are agreeable to any suitable alternatives should they exist.

- V The AONB Partnership note several potential disadvantages of the Broom Covert site when compared to the Grove Wood site, including
- An increase in height of the building of over 33% from 15 to 21 metres, which will mean a much larger mass of building at this location.
 - The RAG assessment showing an increase of over 150% of amber RAG assessment outcomes (and a decrease of c30% of green RAG assessment outcomes).
 - An increase in traffic during construction into the nationally designated landscape with the consequential increase in negative impact on tranquillity, a factor in the designation of the AONB.
 - It should be noted that the RAG assessment does not seek to take a view on policy compliance, which as seen above the Broom Covert site cannot meet.
 - Physical split of the nationally designated AONB into two by the proposed built developments that do not meet the purposes of the AONB designation.
 - Greater cumulative impacts on the nationally designated AONB from ScottishPower Renewables developments, Gabbard and Galloper developments and the nuclear developments at Sizewell spread over a larger area.
 - Economic losses associated with the impact on tourism industry, currently worth £210,000,000 a year in the AONB which is predominately focused on the coastal fringe.

In addition to the Broom Covert Site being in the nationally designated landscape, a development of this size at this location, in combination with existing developments, major development would stretch across the width of the AONB and would effectively cut the nationally designated landscape in two.

The development, if located at Broom Covert, would not sit in the shadow of the existing nuclear developments at Sizewell but some distance from it, closer to the town of Leiston than the nuclear site at Sizewell.

The AONB Partnership consider the impacts of a major development of this type at Broom Covert, would also be felt over a greater area of the AONB, by more people and on more habitats/wildlife areas which would require more mitigation.

In addition, the proposed development at the Broom Covert site would have a greater impact on the tourism industry at this location. Sizewell Beach and associated café, beach and camping facilities play an important part in the tourism industry in the AONB which overall has a worth £210,000,000 per year and supporting 4,655 jobs⁵. Much of the tourism industry in East Suffolk is focused on the coastal margin, associated with the AONB.

The AONB Partnership consider the cumulative impacts of the development at the Broom Covert site to be unacceptable and contrary to the purposes of nationally designated AONB, when existing developments at Sizewell A, Sizewell B and the proposed Sizewell C as well as infrastructure related to other offshore wind energy providers. It is considered by the AONB Partnership that an assessment of the cumulative effects of developments (proposed and existing) would need to be undertaken to understand the landscape and biodiversity implications of putting the development at the Broom Covert site, particularly as it would appear to be no land within the AONB where mitigation could be delivered to benefit the communities most affected.

We accept and welcome that ScottishPower Renewables needs to take a balanced view as referenced in section 6.1 of the phase 3.5 consultation information but suggest that the balanced view must be taken within the confines of national and local policy as outlined in I above. It is widely accepted that development management is and should be a plan and policy based system.

VI Although not part of phase 3.5 consultation, the AONB Partnership remain extremely concerned about the significant adverse impact upon the factors for designation of the AONB resulting from the offshore infrastructure associated with EA1N and EA2.

The AONB Partnership welcome the development of renewable energy but note that offshore wind arrays have the potential to significantly impact on the natural beauty of the AONB and the experience of those visiting it.

Yours sincerely,



Simon Amstutz
AONB Manager, Suffolk Coast & Heaths AONB
simon.amstutz@suffolk.gov.uk
07971 909649

⁵ Economic Impact of Tourism in the Suffolk Coast & Heaths AONB 2017 available from AONB team