Dear Sir / Madam

NAVITUS BAY WIND PARK EXAMINATION
NEW FOREST NATIONAL PARK AUTHORITY LOCAL IMPACT REPORT

Please find enclosed a hard copy of the Local Impact Report (LIR) prepared by the New Forest National Park Authority relating to the Navitus Bay offshore wind park development. I can also confirm that the National Park Authority has emailed a copy of the Local Impact Report to you at navitusbay@infrastructure.gsi.gov.uk in Word and PDF format today.

Please do not hesitate to contact me if you require any further information regarding the National Park Authority’s Local Impact Report.

Yours faithfully

[Signature]
David Illsley BA MA MRTPI
Planning Policy Manager
Navitus Bay Off-Shore Wind Farm Development

Local Impact Report

New Forest National Park Authority

3 October 2014
### Navitus Bay Off-Shore Wind Farm Development

**New Forest National Park Authority Local Impact Report (October 2014)**

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Navitus Bay Off-Shore Wind Farm Development

New Forest National Park Authority Local Impact Report (October 2014)

1. Non-Technical Summary

1.1 The Government’s National Policy Statements recognise that impacts on a National Park are a key material consideration in assessing Nationally Significant Infrastructure Projects such as the Navitus Bay proposal. This document sets out what the New Forest National Park Authority (NFPNA) considers would be the impacts of the proposed Navitus Bay development on the New Forest National Park.

1.2 The key considerations include:

- The New Forest National Park has been confirmed by the Government as having the highest status of protection in relation to landscape and scenic beauty. Relevant authorities (including the Planning Inspectorate) have a statutory duty to have regard to the two National Park purposes in making decisions that could affect the New Forest. This importantly includes developments outside the New Forest National Park that could impact on its natural beauty and people’s enjoyment of its special qualities. The NFPNA is firmly of the view that both the off-shore and on-shore elements of the Navitus Bay project could negatively impact the New Forest National Park and the purposes behind its designation.

- The NFPNA acknowledges that the project could deliver positive benefits to the region in terms of local job opportunities, together with the environmental aims of reducing carbon emissions. Climate change is a major threat to the special qualities of the National Park and the NFPNA supports appropriate renewable energy proposals. However, consideration of employment benefits must also factor in the impacts of the development on the local visitor economy in the New Forest and disruption to local businesses and communities both during the construction phase and in the longer term.

- A number of the predicted impacts on the New Forest National Park - including those related to on-shore ecology and archaeology - are capable to being mitigated / compensated. However, the NFPNA is of the view that the negative impacts of the off-shore elements of the proposals on the coastline of the National Park, as well as the impacts on trees and landscape character from the on-shore cable route have been under-estimated by NBDL to date. Based on the information currently available and the requirements in the draft Development Consent Order, it is considered that both the off-shore and on-shore elements of the Navitus Bay scheme would negatively impact on the landscape of the New Forest and the public’s enjoyment of its special qualities. This would undermine the purposes of designating the New Forest as a National Park.

1.3 The Authority’s response was agreed by Members of the NFPNA at the 15 July 2014 Planning Development Control Committee meeting.
2. **Introduction**

*Purpose of the Local Impact Report*

2.1 The New Forest National Park Authority (NFPNA) has engaged fully with the development and assessment of the Navitus Bay offshore wind farm proposal. This document represents the NFNPA’s ‘Local Impact Report’, due for submission to the Planning Inspectorate by 6 October 2014.

2.2 Section 60(3) of the Planning Act 2008 defines the Local Impact Report as “a report in writing giving details of the likely impact of the proposed development on the authority’s area (or any part of that area).” Further guidance is contained within Advice Note 1 (2012) which confirms that the Local Impact Report should set out an evidence base, but not replicate the information contained within the submitted Environmental Statement (ES) or seek to balance or weigh the impacts. It should instead set out positive, neutral and negative impacts. Section 104 of the Planning Act 2008 (‘the Act’) requires the Secretary of State to have regard to Local Impact Reports in deciding applications for nationally significant infrastructure projects.

2.3 The Report sets out the designation and special qualities of the New Forest National Park before outlining how the NFNPA has engaged with the consultation undertaken by Navitus Bay Development Limited (NBDL) up to this point. The main body of the Report then sets out the key considerations for the NFNPA in relation to how the proposal could impact on the National Park and the purposes for which it was designated in 2005.

2.4 The NFNPA has worked closely with partners in both Hampshire and Dorset in considering the impacts of the proposals. The NFNPA’s Local Impact Report focuses on the areas where it has a direct remit. On issues relating to traffic and transport, the local economy and environmental health for example, the NFNPA supports the representations made by Hampshire County Council and New Forest District Council in their capacity as the lead authorities for these issues within the National Park.
3. **The New Forest National Park Context**

*Designation*

3.1 The New Forest was designated as a National Park in March 2005 and the NFNPA became the statutory planning authority for the area of the National Park on 1 April 2006. The designation of the New Forest National Park marked the culmination of several years of consultation, assessment and public examination. The designation process included a detailed assessment of the proposed boundary of the Park, and which areas merited inclusion within the final Park boundary where considered against criterion relating to: (i) outstanding natural beauty; and (ii) the opportunities for the public’s understanding and enjoyment.

*Statutory purposes and the ‘duty of regard’*

3.2 National Parks have been confirmed by the Government as having the highest status of protection in relation to landscape and scenic beauty (paragraph 115, National Planning Policy Framework). The *National Parks & Access to the Countryside Act 1949* established the two statutory purposes of National Parks, namely:

- To conserve and enhance the natural beauty, wildlife and cultural heritage of the Park; and
- To promote opportunities for the understanding and enjoyment of the special qualities of the Park by the public.

3.3 **Section 11(A) of the 1949 Act**, as amended by Section 62(2) of the Environment Act 1995, requires relevant bodies to have regard to these two statutory purposes in exercising or performing any function which could affect National Parks. This statutory duty, placed on all relevant authorities, recognises that a wide range of bodies have a direct influence over the future of our National Parks and that development outside National Parks can still impact on them. In short, the fulfilment of the Park purposes and the protection of our National Parks rests with many different bodies and they must all have regard to the purposes outlined above.

3.4 This statutory ‘duty of regard’ is particularly relevant in considering the potential impacts of the Navitus Bay development on the New Forest National Park. As well as considering the impacts of the on-shore cable route as it passes directly through the New Forest National Park, it confirms that the impacts of the off-shore elements of the project on the National Park are also an important material consideration. The NBDL Planning Statement (Document 8.4, paragraph 3.4.22) summary of the *National Parks & Access to the Countryside Act 1949* unfortunately misquotes this statutory ‘duty of regard’ and fails to recognise it is equally relevant in considering

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1 The DEFRA guidance note (2005) sets out the duties on relevant authorities to have regard to the purposes of National Parks and lists the Planning Inspectorate (Section 1); the Crown Estate (Section 8) and any statutory undertakers as having a duty of regard in relation to National Parks.
developments outside National Parks – such as the off-shore elements of the Navitus Bay proposal – which could still impact on the reasons for Park designation.

Special Qualities of the New Forest National Park

3.5 The New Forest National Park Management Plan 2010 – 2015 sets out the ‘special qualities’ of the New Forest which define it, make it unique and immediately recognisable and, when taken together, distinguish it from all other parts of the country. These qualities are fundamental to the two purposes of the Park and are the underlying reason for its designation. The special qualities of the New Forest were identified through public consultation in 2007\(^2\) and include:

- The New Forest’s outstanding natural beauty: the sights, sounds and smells of ancient woodland with large veteran trees, heathland, bog, autumn colour and an unspoilt coastline, with views of the Solent and Isle of Wight. The National Park encompasses a wide variety of different landscapes, from the woodlands and rolling heathland in the centre of the Forest, to the flat and wild coastline and the farmed landscape of small fields, hedgerows and narrow lanes. Together these form an extensive area of unspoilt and ancient countryside.

- Tranquillity in the midst of the busy, built up south of England. The tranquillity and sense of remoteness that can still be found in many parts of the National Park is a quality of great importance to many people. The relative peace and naturalness, combined with the open and unfenced landscape of much of the area, gives a sense of space and freedom.

- The wonderful opportunities for quiet recreation, learning and discovery. The gently rolling countryside of the National Park is safe and accessible to many people. There is open access on foot or horseback to more than 115 square miles in the centre of the National Park and an extensive network of footpaths, bridleways and cycle paths across the rest of the area. There are many opportunities for quiet recreation and the exploration of the landscape.

3.6 The Navitus Bay scheme would be clearly visible from the New Forest’s coastline and would involve a major onshore cable route cutting through the National Park, both of which would have a negative impact on these special qualities that are valued by the circa 14 million visitor days the New Forest National Park attracts per annum. The New Forest National Park’s undeveloped coastline is particularly popular with walkers using the long distance Solent Way footpath, and the construction of the on-shore cable route has the potential to detrimentally impact the tranquillity of the National Park, as well as negatively affecting the long term landscape character.

\(^2\) New Forest National Park Management Plan 2010 – 2015, pages 5 - 7
National Policy relating to National Parks and major development

3.7 The Navitus Bay turbines would cover an area of around 60 square miles and would be 14.3 miles from the nearest part of the New Forest National Park (Hurst Spit). The project would have a capacity of up to 970 MW, enough to power 710,000 homes per year (equivalent to nearly 50 times the current number of homes in the New Forest National Park). As well as the off-shore elements of the project which would be visible from parts of the National Park, the proposals include significant on-shore works. NBDL are proposing a 35 kilometre long on-shore cable route (6 kilometres would fall within the New Forest National Park) which would run from Taddiford Gap near Barton-on-Sea to a new sub-station at Mannington in Dorset. This on-shore cable route crosses parts of the National Park north of Hordle, at Bashley Crossroads, then again at Hinton, near to Burton Common and leaving the National Park at Waterditch, south of Bransgore. NBDL has chosen to underground the onshore cabling to avoid the need for overhead lines within and outside the National Park.

3.8 The decision on whether to issue a Development Consent Order for the Navitus Bay project will include an assessment of whether the proposal is consistent with the Government’s National Policy Statement EN-1 (the Overarching NPS for Energy) and EN-3 (the Statement for Renewable Energy Infrastructure). Set out below are some of the relevant sections from these Statements which are particularly pertinent in considering the Navitus Bay proposal and its potential impacts on the National Park.

- Paragraph 5.9.9 of EN-1 confirms that National Parks have the highest status of protection in relation to landscape and scenic beauty - “The conservation of the natural beauty of the landscape and countryside should be given substantial weight by the IPC [now PINS] in deciding on applications for development consent in these areas.”

- Paragraph 5.9.10 of EN-1 states that consent for major development within a National Park may be granted in exceptional circumstances. The consideration of such proposals should include an assessment of the need for the development (including the national need); the impact of consenting on the local economy; the scope and costs of developing outside the designated area; and any detrimental effect on the environment, the landscape and recreational opportunities.

- Paragraph 5.9.10 of EN-1 largely reiterates paragraph 116 of the NPPF relating to major development and National Parks. The NPPF, which is a material consideration in assessing this proposal, confirms that planning permission should be refused for major developments in National Parks except in exceptional circumstances and where it can be demonstrated they are in the public interest. Consideration of major applications should include an assessment of: (i) the need of the development and the impact of permitting it or refusing it on the local economy; (ii) the scope for developing elsewhere outside the designated area; and (iii) any detrimental effect on the environment, the landscape and recreational opportunities.
Paragraph 5.9.11 of EN-1 confirms that the Government should ensure that any projects consented in designated areas such as National Parks should be carried out to high environmental standards, including through the application of appropriate requirements where necessary. In a number of areas NBDL has indeed adopted best practice and appropriate requirements are contained within the draft Development Consent Order.

Paragraph 2.5.33 of EN-3 states that within National Parks, consent for renewable energy projects should only be granted where it can be demonstrated that the objectives of designation will not be compromised, and any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by the environmental, social and economic benefits.

3.9 The need for renewable energy Nationally Significant Infrastructure Projects is also set out in NPS EN-1. This Statement confirms that the UK has a legally binding target to cut greenhouse gas emissions by at least 80% by 2050, compared to 1990 levels. It is acknowledged that the Navitus Bay project would make a positive contribution to mitigating the impacts of climate change and in providing the UK with greater energy security. The UK needs a mix of all types of energy infrastructure to achieve energy security at the same time as reducing greenhouse gas emissions. The energy produced by this development would lower carbon dioxide emissions by up to 1,290,000 tonnes per annum.

3.10 The NFNPA has consistently supported appropriate renewable energy development where there has been no conflict with the statutory Park purposes. This is highlighted by a number of renewable energy schemes given planning consent by the NFNPA within the National Park in recent years, as well as the funding allocated to local community projects through the Sustainable Development Fund to support renewable energy.

3.11 However, as set out in the Government’s National Planning Policy Framework and the National Policy Statements, major development affecting National Parks should only be permitted in exceptional circumstances and where there is a national need. The New Forest National Park is a national designation and is therefore of equal importance to a Nationally Significant Infrastructure Project such as Navitus Bay. Accordingly, alternatives for meeting renewable energy targets should be considered before harm to nationally protected landscapes is to be accepted.

3.12 The NFNPA has consistently raised concerns that the proposal has not given appropriate weight to the New Forest’s National Park status and the degree of protection that this should afford the New Forest. Other (perhaps more easily plotted) constraints, such as SSSI designations, have been highlighted by NBDL during their public exhibitions, but the need to identify and protect the New Forest National Park and its special qualities has received less consideration.
4. Outline of previous NFNPA Representations

4.1 The NFNPA has engaged with NBDL and other partners throughout the various stages that led to the submission of the proposals to the Government earlier this year. Set out below is a summary of the NFNPA’s formal engagement.

S42 Environmental Statement Consultation

4.2 The NFNPA responded to the Section 42 Environmental Statement Consultation in October 2013. The Authority’s response highlighted the recently updated Landscape Character Assessment for the New Forest National Park (adopted in September 2013) which should be used to assess landscape character regarding onshore impacts and impacts on views from the National Park, including from the shore. The NFNPA’s S42 consultation response also highlighted the need for NBDL to refer to the comments from the Inspector at the Boundary to the National Park Public Inquiry which noted the special qualities of the view across the Solent from the National Park coast. Section 15 of the NBDL Environmental Statement refers to ‘the setting of heritage assets’ and the Authority again called for the Keyhaven Conservation Area within the National Park to be included as a designated heritage asset and the impacts upon it therefore analysed. The proposed turbines would be visible from the Keyhaven Conservation Area over Hurst Spit.

Draft Statement of Community Consultation

4.3 In February 2014, the NFNPA responded to NBDL’s Draft Statement of Community Consultation. The NFNPA’s response echoed the concerns raised both by Hampshire County Council and New Forest District Council in only directly notifying occupiers of properties within 200m of the cable route of updates. The NFNPA and other consultees stated that that there would be merit in amending the trigger for direct notification of the project to those beyond the 200m buffer zone where appropriate.

Adequacy of Consultation Response

4.4 In April 2014, the NFNPA responded to NBDL’s ‘Adequacy of Consultation’ statement in its capacity as a statutory ‘Regulation 42’ consultee for the application. The response outlined our view that the consultation process had allowed a broad exchange of information between NBDL, the general public and statutory consultees (including the NFNPA), and that the statutory requirements had broadly been met. However, on examination of NBDL’s Consultation Report, the NFNPA raised strong concerns that its detailed responses throughout the process had not been responded to in any substantive way. Paragraph 61 of the DCLG’s ‘Planning Act 2008: Guidance on the Pre-Application Process’ (January 2013) document confirms that in their consultation report NBDL should, “...set out a summary of relevant responses to consultation (but not a complete list of responses)…” The document goes onto state in paragraph 62 that it is important that those who have contributed to the pre-application consultation are aware of how their views have been used to shape and influence the project. The NFNPA is of the view that although the statutory
requirements may broadly have been met, the requirements for a clear summary the relevant responses and the outline of how they have been taken on board is superficial. There is no summary or collation of responses to the consultation and only a confusing set of general paragraphs at the beginning of each section. The vast majority of Annex L is marked as ‘Noted’ in the final column, with few ‘Changed’ or ‘No change’ and we think that this is a weak reaction to ours and others detailed comments and concerns.
5. **Potential Impacts on the New Forest National Park**

(i) **Landscape and Seascape Impacts**

5.1 As outlined earlier, National Parks have the highest status of protection in relation to landscape and scenic beauty (NPPF, paragraph 115) and all relevant bodies (including the Planning Inspectorate and energy providers) have a statutory duty to have regard to the two purposes in making decisions that could affect National Parks. As a nationally protected landscape, the potential impacts of the Navitus Bay development on the landscape and special qualities of the New Forest National Park are therefore a fundamental consideration. While the boundary change in February 2014 has moved the proposed Navitus Bay development slightly further from the National Park, the NFNPA does not consider that the current proposed location is sufficient to mitigate visual impact.

5.2 The natural beauty of the New Forest’s coastline and the opportunities for the public to enjoy the area’s special qualities were a key factor in its designation as a National Park in 2005. The Designation Order for the New Forest National Park was informed by a detailed landscape assessment and the Order cites the stunning views across the coastal salt marshes to the Isle of Wight from Keyhaven and Hurst Point as contributing to the inclusion of this area within the National Park boundary. The area also exhibits a number of the Forest’s ‘special qualities’, including its relative tranquillity. The *New Forest National Park Management Plan 2010 – 2015* seeks to maintain and enhance the Forest’s tranquillity through reducing the impacts of noise and visual intrusion and improving the quality of the ‘dark skies’ of the National Park. The NFNPA is of the opinion that both the on-shore and off-shore elements of the Navitus Bay project would negatively impact on this objective.

5.3 The New Forest’s coastline is popular with visitors to Hurst Castle and the Solent Way (a national trail). The Solent Way attracts in excess of 250,000 visitors per annum who walk and cycle along this stretch of coastline while enjoying views both along the coast and towards the Isle of Wight, the Needles and Hurst Spit. As illustrated by NBDL’s own visualisations, the development would significantly impact these views with a portion of the turbines behind the Needles being visible above and stretching westward from the Needles. This would affect both day and night time views, with navigation lights on the turbines being visible at night. The New Forest’s coastline around Keyhaven clearly exhibits the natural beauty and opportunities to enjoy the special qualities required for National Park designation. This proposal could have a significant negative impact and NBDL must demonstrate how it will conserve and enhance the landscape of the Park.

5.4 It is considered that the visitors and walkers on the National Park’s coastline are highly sensitive receptors as they have specifically gone to the location to experience the views along the coast and out to sea where there are uninterrupted views of great scenic beauty. The impact of the wind farm at Representative Viewpoint 26 (Sea Wall, Solent Way) is described as being ‘Not significant’ by NBDL under the EIA Regulations at 13.5.590. This is not agreed by NFNPA for the following reasons:
• There is a sequential experience of walking along the Solent Way westwards from Lymington, with changing views of Hurst Spit, Hurst Castle, Hurst Point lighthouse and the Needles as the path twists and turns. This adds to their interest and is a main focus for users of the Solent Way. It is considered that NBDL’s conclusions in 13.5.590 of the Environmental Statement underplay this.

• As shown by the VP26 photomontage both the 5MW (177 metres height to blade tip) and 8MW (200 metres to blade tip) turbines will be visible behind, in between and above the Needles and along Hurst Spit from within the National Park. The introduction of an industrial feature to this iconic landscape will have a significant negative impact on the special qualities of the National Park.

• There will be navigation lights on the turbines (the exact layout has not yet been determined by NBDL) which will have an impact on the night time view from the Solent Way and Hurst Castle. The presence of navigation lights on the turbines will have an impact on the dark night skies viewed from the National Park coast and from points inland and NBDL has not produced a night time view from either view point 26 (Sea Wall, Solent Way) or view point 27 (Hurst Castle) which makes the exact level of impact difficult to assess.

5.5 As a result of the above, it is NFNPA’s opinion that the scale of negative effect upon users of the Solent Way and fringes (who have high-medium sensitivity as visual receptors) would be high and the extent would be wide. This results in a Major-Moderate significance of impact which is considered to be ‘Significant’ under the Environmental Impact Assessment Regulations for the Seascape and Landscape Visual Impact Assessment (SLVIA). NBDL’s SLVIA at 13.5.613 states that the impact will be ‘Not Significant’ and the Authority cannot endorse this conclusion. Hurst Castle, Hurst Point Lighthouse and their setting is one of the most iconic views in the National Park and the NFNPA is firmly of the view that a negative impact on any part of the National Park will have an impact on the whole designated area. This is reflected in the Guidelines for Landscape & Visual Impact Assessment, Third Edition, Landscape Institute and Institute of Environmental Management & Assessment, 2013) which states in relation to international and national designations that “...it should be recognised that every part of a designated area contributes to the whole in some way and care must be taken if considering areas in isolation.”

5.6 This view is consistent with representations submitted by Natural England, as the Government’s statutory advisor on landscape matters, who consider that the proposal will have an adverse impact on the landscape of the National Park and the purposes for which it was designated (Natural England ‘Relevant Representation, 23 June 2014). Natural England has raised concerns regarding the methodology used by NBDL to undertake the seascape, landscape and visual impact assessment (SLVIA) and consider that the sensitivity of receptors is underestimated by NBDL for views from the New Forest National Park coastline.

3 Section 5.24, page 83
In conclusion, the Navitus Bay proposal would have a significant negative impact on the coastal landscape of the New Forest National Park and the public’s enjoyment of it. The painting below, for example, by J.M.W Turner of the Needles at night highlights how the iconic views from the Park’s coastline across to Hurst Castle and the Isle of Wight have inspired people for generations and its contribution towards the cultural heritage of the National Park. NBDL’s own photomontages (e.g. Viewpoint 27, Hurst Castle) highlight that the turbines would appear behind, between and above the Needles when viewed from the National Park’s coastline and this would have a significant negative impact on the National Park and the delivery of the two statutory Park purposes.

‘Moonlight at Sea’ (the Needles), J.M.W Turner, circa 1818
(ii) Archaeology and Cultural Heritage

5.8 The on-shore cable works crossing the National Park have the potential to impact on the rich archaeology of the New Forest, as well as also providing an opportunity to discover more about the archaeology of the area. The NFNPA’s Archaeologist has liaised closely with colleagues at Hampshire and Dorset County Councils in considering the proposals and the opportunities the on-shore cable route can provide in enhancing our archaeological and cultural heritage knowledge.

5.9 Having assessed the information available, the NFNPA considers that the overarching Written Scheme of Investigation (WSI) prepared by NBDL provides an appropriate basis to develop archaeological mitigation measures and the individual site-specific written schemes of investigation for the on-shore works where archaeological sites are known. The individual written schemes of investigation will also allow for appropriate archaeological work to take place where sites have been revealed by Geophysical work in advance of the scheme, during the gap period between consent being granted and construction work taking place. Other unexpected and significant archaeological discoveries may be made that fall within the scope of burial and portable antiquities legislation and the regulatory procedures for such issues will be followed.

5.10 The omission of an appropriate response to the potential for dating Palaeolithic sequences and studying of the gravel terraces, that the cable works cross, has been raised and has been included as a note in the draft Archaeological Statement of Common Ground only in respect of the potential for dating. English Heritage has reinforced and confirmed the need for an appropriate level of geo-archaeological work in respect of the potential for Palaeolithic and deeply buried Holocene archaeology which is not fully covered within the Environmental Statement or WSI. English Heritage has identified the need for the inclusion of a geo-archaeological deposit model as a first stage in evaluating these sequences.

5.11 Whilst the methodology proposed for below-ground cultural heritage is considered acceptable with the above modifications, the issue of setting of the Keyhaven Conservation Area remains unresolved. The Keyhaven Conservation Area Character Appraisal (NFNPA, 2010) shows both long distance and panoramic views in the direction of the wind farm from within the Conservation Area. In 2011 NBDL were advised by the Infrastructure Planning Commission (superseded by the Planning Inspectorate) in their Scoping Opinion for the development that the applicant’s forthcoming Environmental Statement should consider potential impacts from the development on Conservation Areas, including Keyhaven within the National Park. A technical note was completed by Cotswold Archaeology on behalf of NBDL in late September 2014 which identified no specific adverse effects on the character or appearance of Keyhaven Conservation Area. The NFNPA has considered this recent technical note, but remains of the view that the development will have a negative impact on the Conservation Area. The views towards the Isle of Wight from Keyhaven are highlighted within the Character Appraisal (2010) as contributing to the character and setting of the Conservation Area, and this is reinforced by both NBDL’s Bare
Ground and Obstruction ZTVs which show that the nacelle and the blade tips of the turbines would be clearly visible from the Conservation Area over Hurst Spit.

5.12 In addition, the NFNPA considers that the Navitus Bay proposal would have a negative impact on the setting\(^4\) of Hurst Castle - a Scheduled Ancient Monument - and Hurst Point Lighthouse, a Grade 2 Listed Building. NBDL has not carried out a full assessment of the impact of the wind farm on these heritage assets within the National Park. The development would have a negative impact on the cultural heritage of this part of the National Park - linked to the first statutory Park purpose - which is currently visited by around 40,000 people per annum.

5.13 Finally, the NFNPA has called for the development of a strategy to ensure that any archaeological findings are available to the public to increase the understanding of the area's cultural heritage. This should include enhanced interpretation facilities at Hurst Castle and also Lepe Country Park with additional interpretation and upgrading of existing boards at Keyhaven and at appropriate points along the Solent Way. No information has been provided that would satisfy this requirement. WSIs for individual sites will need to accommodate this requirement and an over-arching cultural heritage mitigation and compensation scheme is required.

\(^4\) English Heritage (2011) defined the setting of heritage assets as “the surroundings in which a heritage asset is experienced.” The setting of Hurst Castle and Hurst Point Lighthouse has a clear relationship with Hurst Spit on which they sit, the Isle of Wight coast, the Needles and the open sea to the south.
Ecological Impacts

5.14 The general approach of the NFNPA to assessing the potential ecological impacts of the Navitus Bay development is to: (i) ensure avoidance of impacts wherever practicable; (ii) the application of best practice mitigation; and (iii) enhancement measures to ensure no net loss of biodiversity. In accordance with the objectives in the adopted *New Forest Biodiversity Action Plan* (2013), which addresses strategic biodiversity conservation issues within the National Park and New Forest District, the impacts of development should be considered on a landscape scale; development should look to improve habitat connectivity; and to secure measures to enhance biodiversity to help achieve the statutory purposes of the National Park.

5.15 Based on the information available to date, NBDL’s work to assess ecological impacts seems to be generally appropriate and has adopted industry standard techniques. The NFNPA recognises that appropriate habitat and species survey techniques have informed NBDL’s Environment Statement. The Statement was submitted without the benefit of survey work for part of the Park area, however this has since been completed and is satisfactory. The NFNPA considers it necessary for more detailed surveys and updates to be required as part of the conditioned Landscape and Ecological Management Plan. This is due to the mobile nature of some wildlife and the more appropriate in-depth techniques that are possible once final design decisions are made.

Off-shore Impacts

5.16 In terms of the potential impacts of the off-shore elements of the proposals, the NFNPA accepts that appropriate predictive modelling techniques and assessments have been used by NBDL to inform the conclusions set out in their Environmental Statement. The potential risks and impacts set out in the Environmental Statement are acknowledged, but the NFNPA considers that if the necessary mitigation proposed within the Environmental Statement is secured, it is unlikely that these risks will significantly affect species populations and designated features of nature conservation sites within the National Park. Due to the uncertainty associated with modelling, measures should be put in place to mitigate, monitor and compensate the impacts of the development (both construction and operation).

On-shore Impacts: International and nationally designated sites

5.17 Focusing on the proposed on-shore works, through the adoption of avoidance and mitigation measures the NFNPA considers it has been demonstrated that direct impacts on internationally and nationally designated site interests within the National Park are capable of appropriate management and the conclusions of the Environmental Statement in this respect are sound. The use of conditioned details such as the Code of Construction Practice (CoCP) and Landscape & Ecological Management Plan (LEMP) will be necessary to allow the NFNPA and partners to secure delivery with the applicants and operator.
Onshore Impacts: Non-statutory local wildlife sites

5.18 In relation to non-statutory local wildlife sites (including those outside the National Park which provide ecological corridors and stepping stones to it), NBDL’s Environmental Statement concludes that impacts would be significant without mitigation measures (Table 10.28, Chapter 10) and the NFNPA supports this conclusion. Proposals for mitigation, including funding for improvements to sites, are therefore key. The NFNPA continues to have positive discussions with NBDL and partners regarding the package of mitigation and enhancement measures.

5.19 The proposed development would also result in the temporary loss of areas of remnant heathland and areas of semi-improved grassland which are both recognised as Section 41 habitats within the Natural Environment and Rural Communities Act. The position of these habitats in relation to the National Park and the potential for habitat connectivity requires recognition and it is important that the Landscape and Ecological Management Plan secures details of mitigation.

On-shore Impacts: Protected Species

5.20 The NFNPA considers that appropriate measures are available to protect protected species and species of importance from the adverse affects of the proposed development. There remains a need to undertake more detailed surveys to inform the design of mitigation and enhancement measures and the use of conditions such as the submission of a Landscape and Ecological Management Plan is an appropriate approach at the more detailed stage of the development.

5.21 As set out in National Policy Statement EN-1, major projects within nationally designated landscapes (including National Parks) should be carried out to high standards with appropriate conditions placed on them. The local planning authorities affected by the development in Hampshire and Dorset have been working with NBDL to develop potential mitigation and enhancement measures to ensure NBDL’s commitment to ensuring no net loss of biodiversity is delivered. As outlined in the sections above, many of the positive conclusions in NBDL’s Environmental Statement regarding the avoidance of impacts are predicated on commitments that must be secured through follow up documents such as the Code of Construction Practice and the Landscape & Ecological Management Plan. To date the NFNPA considers the draft documents to be appropriate from an ecological perspective.
5.22 As outlined on page 7, the proposed on-shore cable route crosses the National Park in a number of places. NBDL has stated that they aimed to keep cabling within the Park to a minimum by only crossing the periphery of the Park and avoiding the Open Forest and protected European habitats. Nevertheless, the NFNPA is of the view that the construction of a 6 kilometre long, 40 metre wide cable trench across parts of the National Park will inevitably impact on trees and wider landscape character in both the short term and long term.

5.23 Due to the nature of the cabling it is understood that only certain shallow rooted trees can be planted along the route, although larger trees may be feasible towards the edge of the way-leave. This will result in gaps in woodlands and tree belts, impacting on landscape character along the route. This includes numerous prominent mature hedgerow Oak trees – for example in the vicinity Bashley Road north of New Milton illustrated below. Some of the trees that will be lost (acknowledging the draft Landscape & Ecological Management Plan’s proposals to reduce losses to a minimum) will be hundreds of years old and have reached a maturity that is impossible to replace instantly or even in the medium term. After the construction phase is complete it will take many years for the landscape to recover and many generations for mature trees to be restored to the landscape.

5.24 The Draft Development Consent Order (DCO) prepared by NBDL states that only trees subject to Tree Preservation Orders (TPOs) will be replaced as part of the on-shore cable works. Negotiations have been taking place between the NFNPA and NBDL to ensure that felled trees are replanted as part of the Landscape and Ecological Management Plan (LEMP). This draft Plan does propose funding for replacement of features and could be directed towards additional tree and hedge planting. However, at the time of writing the negotiations have not been completed. Significant concerns therefore must be raised in this Local Impact Report regarding the loss of important trees and the impact this could have on the landscape of the National Park. The number of trees subject to TPOs along the proposed cable route is low, but there are large numbers of trees/woodlands that merit protection. The Authority objects to NBDL’s commitment to only replace trees subject to TPOs.
along the cable route. Many of the trees on the route are worthy of protection and the loss of high value trees with no compensatory planting could negatively affect the landscape character of the New Forest National Park.

5.25 The NFNPA also considers that the on-shore cable route could have a negative impact on areas of ancient woodland. For example, the route crosses the Danes Stream Coppice near Bashley which is ancient semi-natural woodland designated as a Class 1A Site of Importance for Nature Conservation (SINC). The woodland is identified by NBDL for trenchless crossing/thrust boring to avoid significant ecological impacts. Although this may alleviate impacts above ground, the NFNPA would urge the examining authority to assess the evidence in the draft Landscape & Ecological Management Plan that this technique will not detrimentally disturb the soil beneath the ancient woodland. It is the ancient seed bank and soil structure that is so important in supporting ancient woodland. The NPPF confirms that development resulting in the loss or deterioration of ancient woodland should be refused unless the need for the development clearly outweighs the loss.

5.26 Within the National Park a total of 3.2 hectares of non-ancient woodland habitat would also be directly affected by the cable route. In addition to the direct loss of trees within the cable swathe, further loss and decline of adjacent trees whose roots extend within the working area can be anticipated. The NBDL Arboricultural Walkover Survey (Technical Appendix Volume C, Chapter 10, appendix 10.6) infers that these trees can be retained by installing appropriate protection measures, but fails to provide detail or demonstrate that avoidance of damage through excavation, compaction or contamination is feasible. The Walkover Survey contains a schedule of individual and groups of trees within the cable swathe and within a 15m buffer zone. Group designations are assigned to anything from small groups to significant areas of woodland. The larger the group, the less useful is any data on species, condition and life expectancy. Without details of the area, species composition, age structure and density it is difficult to quantify the extent and impact of tree loss.

5.27 NBDL’s Environmental Statement acknowledges that a large number of hedgerows are present within the Onshore Development Zone. While the development areas will be reinstated (amounting to 670 metres of hedgerow within the Park), the ecological functionality of the features will be lost for a significant period (perhaps up to 25 years). In addition, features associated with the ecological value of the hedgerows such as grass margins with undisturbed soils are likely to be negatively affected. A significant number of the hedgerows affected by removal in the Park are of nature conservation value and it is therefore essential that mitigation is secured through the Landscape and Ecological Management Plan to provide biodiversity gain. The NFNPA considers the measures in the draft Landscape & Ecological Management Plan provide adequate mitigation and enhancement in this regard.

5.28 Finally, linked to the potential landscape impacts raised by the NFNPA it is unfortunate that no visualisations or illustrations have been undertaken for the on-shore cable elements of the project. The on-shore cable route extends to 35 kilometres in total, of which 6 kilometres are within the National Park, but with no visualisations prepared by NBDL (other than for the proposed sub-station at
Mannington) the potential impacts of the loss of trees and hedgerows are difficult to assess for visual impact and change in landscape character in the short and long term. This is a major gap in the evidence base for assessing the proposals. NBDL has assessed all of the impacts of the cable route within the National Park as ‘not significant’ in its assessment table at Volume C, Chapter 12 – Onshore Landscape and Visual section of the Environmental Statement. This underplays the impact of the cable route on the landscape of the National Park.
(v) Socio-Economic Issues (linked to the Authority’s socio-economic duty)

5.29 Under Section 62 of the Environment Act 1995, the Authority has a statutory duty, in pursuing the two Park purposes, to seek to foster the socio-economic well-being of communities living within the National Park. In the context of the New Forest, National Park status itself and the special qualities of the Forest are a major contributor to the local economy. The New Forest attracts approximately 14 million visitor days per annum and is highly valued for the opportunities it provides for quiet open air recreation.

5.30 Concerns are therefore raised regarding the potential negative impacts of the development on the local visitor economy. For example, the on-shore works would involve the temporary and permanent closure or diversion of around 1.5 kilometres of the public rights of way network. Access in the National Park (including the Solent Way which is used by in excess of 250,000 people per annum) is an important means by which the public enjoy the special qualities of the New Forest. The public rights of way network should not be restricted for longer than necessary during the construction phase to ensure impacts on the local visitor economy are minimised. There is also a concern that visitor’s perception of the New Forest’s coastline from popular viewpoints such as the Solent Way, Hurst Spit and Hurst Castle could change as a result of this development (as mentioned in paragraph 5.3).

5.31 In addition, the NFNPA would highlight significant concerns over the impact on the local economy caused by the extra pressures on the New Forest’s roads during the construction period. The road network in the National Park is not suited to large vehicles and the majority of the Forest’s roads are narrow, unfenced B or C Class roads. It is understood that NBDL are working with Hampshire County Council (the highways authority for this part of the National Park) to agree routes across the Forest, but given the relatively remote parts of the Forest crossed by some sections of the cable route minor roads will have to be used. Large vehicles will be required to take away excavated soil and felled trees from the cable route and the cables brought to the route for installation and the local transport network in the Park is simply not designed for vehicles of this size. The use of large vehicles to access the cable route during the construction and operational phase of the development could also have a significant negative impact on the tranquillity of the Park, as well as impacting on horse riders, cyclists and walkers using the Forest’s extensive footpath and bridleway network.

5.32 NBDL’s figures indicate there will be a negative impact on the local tourism economy during the construction phase of the development. These predicted impacts and the disruption to local businesses during the construction phase must be considered against the positive economic benefits that the proposal could bring to the wider locality, including the potential for around 140 full time jobs at a permanent operation and maintenance port. During the peak construction period, NBDL has predicted that around 1,700 jobs would be supported. While the NFNPA acknowledges the potential of the development to generate local employment, consideration of these employment benefits must also factor in the negative
impacts of the development on the local visitor economy and disruption to local businesses and communities during the construction phase.

5.33 NBDL has also entered into agreements with Poole, Portland and Yarmouth ports to undertake feasibility studies to explore how best to utilise port facilities through the construction, operation and maintenance phases of the 25 year development. These studies will assess a range of factors, including the space available at the ports and the depth of water. From the NFNPA’s perspective, it is important that the feasibility assessment at Yarmouth factors in its links to the mainland via Lymington, with the strategic road and rail connections to Lymington harbour all being through the National Park. **An examination of the economic impacts of the proposals should include assessing the impacts on the local transport network in the National Park during the construction, operation and maintenance phases of the development (including links to one of the potential ports).**
6. **Conclusions**

6.1 National Policy Statements recognise that impacts on a National Park are a key consideration in assessing Nationally Significant Infrastructure Projects. Both the off-shore and on-shore elements of the Navitus Bay project have the potential to impact on the New Forest National Park and the purposes behind its designation in 2005.

6.2 The project could deliver positive benefits to the region in terms of local job opportunities, together with the environmental aims of reducing carbon emissions. A number of the predicted impacts on the National Park – including those related to on-shore ecology and archaeology - are capable to being mitigated/compensated subject to the commitments in the Environmental Statement being secured. Proposals within the draft Landscape & Ecological Management Plan could also deliver ecological enhancements.

6.3 This report also highlights what the NFNPA considers will be the negative impacts of the proposals on the National Park. These include impacts on the coastline of the National Park (and the public’s enjoyment of it); potential impacts on the Keyhaven Conservation Area, Hurst Castle and Hurst Point lighthouse as ‘heritage assets’; the landscape character of the Park caused by the loss of trees and hedgerows along the cable route; and the socio-economic impacts of the construction of the development on the tranquillity of the Park, recreational visitors and local businesses.

6.4 Where mitigation for the negative impacts of the proposals is not possible, NBDL should be in the position to offer compensation and community compensation. Many of the measures designed to avoid impacts must be secured through follow up documents such as the Code of Construction Practice and the Landscape & Ecological Management Plan and the Development Consent Order must provide a framework for this mitigation.

6.5 In conclusion, when considered against the tests of major development affecting National Parks, the NFNPA is of the opinion that the negative impacts of the Navitus Bay application on the landscape character and people’s enjoyment of the New Forest National Park have not been fully justified.