



# **SAVE OUR SANDLINGS**

**Offshore Wind Farms**

**EAST ANGLIA ONE NORTH PINS Ref: EN010077**

**&**

**EAST ANGLIA TWO PINS Ref: EN010078**

**Secretary of State BEIS  
request for further information**

**31 January 2022**

**from**

**Save Our Sandlings**

Since the closure of the examination a number of documents have been received from the Applicant and Interested Parties. Save Our Sandlings submit this document referencing submissions from Save Our Sandlings (SOS), Substation Action Save East Suffolk (SASES), Suffolk Energy Action Solutions (SEAS) and other Interested Parties (IP) relevant to these projects and others planned for the Suffolk Heritage Coast. We do not consider the Applicant has given adequate consideration to the physical, financial and mental harm these projects will produce and their rigid refusal to adapt their plans to meet increasing opportunities to limit the cumulative impact on the region.

We wish to draw attention to the following areas of concern

1. Cumulative Impact
2. Tourism
3. Health and Well-being
4. Biodiversity
5. Water Quality
6. Flooding
7. Site Selection – Alternative Sites

Relevant supporting documents as submitted to the Planning Inspectorate during the examination and identified in this document are provided with Hyperlinks

Other links connect to third-party websites as appropriate

Appendix A      Table of the Planning Inspectorate documents included in this document plus hyperlinks.

Appendix B      Cumulative Projects graphic representation for the Heritage Coast.

## Background

The Secretary of State is poised, subject to receiving a final round of submissions from interested parties, to make a decision at the end of March 2022 in respect of the East Anglia ONE North and East Anglia Two Offshore Wind Farm projects (the “Projects”), which encompasses both offshore and onshore infrastructure as described in REP12-013 draft Development Consent Order, Document ref: 3.1 version 8, 28<sup>th</sup> June 2021

It bears emphasising that the Secretary of State’s decision at its core pits unique and highly protected areas of Suffolk land and coast against major renewable energy projects. The Secretary of State has a discretion in respect of the decision to be taken, which discretion is not, as explained below, a simple balancing of the pros and cons of protecting countryside versus the Government meeting its net zero long term targets.

Suffolk Coast & Heaths (SC&H), which will be significantly impacted by these Projects, was designated as an Area of Outstanding Natural Beauty over 50 years ago in 1970 with the statutory purpose of conserving and enhancing the habitats and biodiversity of the special heathlands, woodlands, estuaries and coast.<sup>1</sup> Generally, Areas of Outstanding Natural Beauty (AONBs) are designated nationally and given the highest status of protection for their landscape and scenic beauty.<sup>2</sup>

The relevant stretch of coastline affected by the Projects in Suffolk is also defined as a “Heritage Coast”. While not a statutory designation such as AONB, Heritage Coasts are established to “conserve the best stretches of undeveloped coast in England. The national policy framework and objectives for heritage coasts were developed by the Countryside Commission, a predecessor of Natural England, and ratified by Government”.<sup>3</sup>

Heritage coasts are established to, among other things:

- conserve, protect and enhance:
  - the natural beauty of the coastline
  - their terrestrial, coastal and marine flora and fauna
  - their heritage features
- encourage and help the public to enjoy, understand and appreciate these areas
- maintain and improve the health of inshore waters affecting heritage coasts and their beaches through appropriate environmental management measures
- take account of the needs of agriculture, forestry and fishing and the economic and social needs of the small communities on these coasts<sup>4</sup>

---

2 This brings the NPPF in line with Section 85 of the Countryside and Rights of Way Act 2000, Subsection (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 or enhancing the natural beauty of the area of outstanding natural beauty.” Subsection 2 specifies relevant authorities as Ministers, public bodies, statutory undertakers and persons holding public office (which are then further defined).

3 <https://www.gov.uk/government/publications/heritage-coasts-protecting-undeveloped-coast/heritage-coasts-definition-purpose-and-natural-englands-role>

4 <https://www.gov.uk/government/publications/heritage-coasts-protecting-undeveloped-coast/heritage-coasts-definition-purpose-and-natural-englands-role>

The proposed Projects will result in development on or adjacent to various Sites of Special Scientific Interest (SSSIs), Specially Protected Areas (SPA) and Environmentally Sensitive Areas (ESA) which are designated as such by Natural England, such designation being aimed at ensuring that the associated habitats and features are in a healthy state and are appropriately managed.<sup>5</sup> There are constraints on the operations permitted on SSSI land. It should be noted that the SC&H AONB does not have an impenetrable boundary and that many of the attributes and species contributing to AONB status are also freely found in the surrounding landscape, and it is this very landscape that offers the AONB its sense of place. Destroying and developing the surrounding landscape risks disconnecting some of these species through restricting free travel across the landscape, or by removing essential habitat to their continued presence, isolating the AONB from its environs.

**The National Association for Areas of Outstanding Natural Beauty (NAAONB) made a collective declaration on nature in AONBs in 2019.**<sup>6</sup> Set against a backdrop of unprecedented concern for the future of the natural world, and intergovernmental reports that the current global response to the effects of human impact on nature is insufficient, the NAAONB decided to set out a strategic plan which is based around a Nature Recovery Plan to include, inter alia, at least 200,000 hectares of SSSI's in AONBs being in favourable condition. Each AONB adopted a species on the endangered list, with the Redshank being chosen to become the flagship species for SC&H. The Nature Recovery Plan for each AONB is key to the Government achieving one of its key objectives as set out in its 25 Year Environmental Plan to develop a Nature Recovery Network. As recently as 22 January 2022, the Government has itself acknowledged that:

“Local Nature Recovery Strategies (LNRs) will provide the underpinning framework for the Nature Recovery Network and will provide the focus for a broad range of funding and delivery activities. We will explore ways for protected landscapes to support responsible authorities in preparing and delivering LNRs, utilising their expertise to highlight landscape-scale opportunities within protected landscapes and embedding links with their statutory management plans so they align. This role will help to ensure neighbouring LNRs set out coherent, ambitious strategies for nature recovery across whole landscapes that cross administrative boundaries.”<sup>7</sup>

The Government's recently updated National Planning Policy Framework 2021<sup>8</sup> (NPPF) is clear that there is a presumption that there shall be *no* development permitted on AONB and this is the backdrop to any planning applications, including the Projects. It is therefore incumbent on any applicant to show that it has fulfilled any and all criteria needed for any exception to the prohibition to be made.<sup>9</sup> As stated before, the NPPF is clear that conservation and enhancement of AONBs should

<sup>5</sup> <https://www.gov.uk/guidance/protected-areas-sites-of-special-scientific-interest#check-if-your-land-is-within-a-sssi>

<sup>7</sup> <https://www.gov.uk/government/publications/landscapes-review-national-parks-and-aonbs-government-response/landscapes-review-national-parks-and-aonbs-government-response>

<sup>8</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1005759/NPPF\\_July\\_2021.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1005759/NPPF_July_2021.pdf)

<sup>9</sup> Hunting Butts Farm, Cheltenham (appeal APP/B1605/A/11/2164597), the Inspector explained (paragraph 56) that this was a case where “the final part of Paragraph 14 [previous NPPF referencing] makes it clear that (again, unless material considerations indicate otherwise) where specific policies, including

be given “great weight” i.e. to deviate from this protection is a last resort, when all other possible alternatives have been considered.

It is Save Our Sandlings opinion that, based on the Applicant’s submissions on these Projects and the responses of Interested Parties, the Applicant has failed to discharge this burden as regards certain key aspects of its onshore proposals, such that the onshore proposals as currently formulated should be rejected by the Secretary of State.

Broadly speaking, these criteria are set out in the NPPF which contains the Government’s policies specific to protected landscapes (including AONBs). These make a distinction between the approach to planning proposals applicable in all cases (NPPF, paragraph 176) and the additional approach applicable in the case of ‘major’ developments (NPPF, paragraph 177).

The identification of development that is ‘major’ (as distinct from ‘not major’) is a matter of judgement for the decision-taker “taking into account the proposal in question and the local context” as the Department’s Planning Practice Guidance expresses it. The Projects are clearly a major development given its scale and the significant adverse impact it will have on the AONB and Heritage Coast (footnote 7 of NPPF).

These are the relevant paragraphs of the NPPF (emphases added):

Para. 176: “**Great weight** should be given to **conserving and enhancing** landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues. The **conservation and enhancement** of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads<sup>5910</sup>. The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.”

Para. 177: When considering applications for development within National Parks, the Broads and Areas of Outstanding Natural Beauty, permission **should be refused for major development**<sup>6011</sup> other than in **exceptional circumstances**, and where it can be demonstrated that the development is **in the public interest**. Consideration of such applications **should include** an assessment of:

- a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
- b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and
- c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.”

---

Green Belt policies, indicate that development should be restricted then the presumption in favour of granting permission does not apply. That is the case here”. (This was in a Green Belt location, to which Footnote 9 also applies).

<sup>10</sup> Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality.

<sup>11</sup> For the purposes of paragraphs 176 and 177, whether a proposal is ‘major development’ is a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined.

Para. 178: “Within areas defined as Heritage Coast (and that do not already fall within one of the designated areas mentioned in paragraph 176), planning policies and decisions should be consistent with the special character of the area and the importance of its conservation. **Major development within a Heritage Coast is unlikely to be appropriate, unless it is compatible with its special character.**”

Para. 180: “When determining planning applications, local planning authorities should apply the following principles:

- a) **if significant harm to biodiversity resulting from a development cannot be avoided** (through locating on an alternative site with less harmful impacts), **adequately mitigated**, or, as a last resort, compensated for, then **planning permission should be refused**;
- b) **development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it** (either individually or in combination with other developments), **should not normally be permitted**. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;
- c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, **unless there are wholly exceptional reasons<sup>6312</sup> and a suitable compensation strategy exists**; and
- d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.

While decision takers need to take into account other material considerations, they should provide reasoned justification when other considerations are given greater weight than that given to the conservation and enhancement of the landscape and scenic beauty of AONBs.

In respect of assessing proposals that constitute major development, Paragraph 177 is clear that both the requirements of exceptional circumstances and public interest must be met.

AONBs and other protected sites are considered a key part of the Government’s 30 by 30 strategy. Again in January 2022, the Government has said that:

“Working with National Parks and AONBs in the coming years, we will ensure our protected landscapes boost biodiversity; recognise their role in delivering Net Zero, protect us from flooding; store carbon; help communities adapt to the effects of climate change; improve the quality of people’s lives and support rural economies...

---

<sup>12</sup> For example, infrastructure projects (including nationally significant infrastructure projects, orders under the Transport and Works Act and hybrid bills), where the public benefit would clearly outweigh the loss or deterioration of habitat.

The Prime Minister has committed to protect 30% of UK land for nature by 2030 (30 by 30), setting out our intention and ambition to deliver domestically on the 30 by 30 global goal we are advocating for under the Convention on Biological Diversity's (CBD) post-2020 Global Biodiversity Framework. Despite being only one quarter of land cover, protected landscapes are home to nearly half of all priority habitats in England, including many of our most important sites for nature. Achieving 30 by 30 will rely on improvements in how these areas are protected and managed for nature recovery, as set out in this response to the review and the Nature Recovery Green Paper."<sup>13</sup>

It therefore seems irrational to destroy the SC&H AONB, the SSSIs and heritage coast in the name of achieving net zero, when they have been deemed such an important part of achieving the 30 by 30 policy.

---

<sup>13</sup> <https://www.gov.uk/government/publications/landscapes-review-national-parks-and-aonbs-government-response/landscapes-review-national-parks-and-aonbs-government-response>



## 1. Cumulative Impact

Throughout the examination, the Applicant has failed to address the cumulative impact of the proposed development on the area, such that in our opinion overall you cannot mitigate a project of this size. The Applicant has been extremely reluctant to consider other projects within their Cumulative Impact Assessments, citing known projects for the area are far too immature in their development to be explored and included within the Applicants DCO application.

National Grid Ventures have indicated two European Interconnectors, Nautilus and Eurolink, both which are exploring landfall points adjacent to EA1N and EA2 and a final connection with the Leiston substation at Friston. NGV has indicated an Estimated In-service Date EID, initially by 2030, recently updated to 2028. Nautilus has completed a non-statutory consultation and survey off and onshore.

Additionally, National Grid Energy Transmission (NGET) in their Network Operating Assessment (NOA), produced annually, have indicated a requirement for an additional Interconnector from Leiston to Kent via an undersea cable, again with an EID of 2030. This has now been confirmed as Sea Link and will be conducting Parish Council meetings during Q1.

These additional projects have the distinct probability of starting during the lifetime of EA1N and EA2 projects, working within adjacent locations and sharing many local resources and the road network. Along with EdF's Sizewell C Nuclear Power Station there is a high risk these projects will impact not only upon each other but local residents and businesses. See cumulative impact graph below. All of the above projects have no other option than to share the same transport network, a road network vital to tourism and leisure, the major employer in the area.

Save Our Sandlings have highlighted our concerns about Cumulative Impact [\[REP8-212\]](#) [\[REP6-123\]](#) [\[REP4-098\]](#) [\[REP3-122\]](#) and the poor assessment by the Applicant and believe their interpretation of the requirements has been to do 'just enough' to satisfy these requirements and neglects their responsibilities to communities and environment by declining to fully acknowledge and address the impact these projects will have.

Associated representations: [REP13-072](#); [REP11-183](#); [REP9-087](#); [REP8-242](#); [REP6-141](#); [REP5-115](#); [REP4-113](#) [REP13-124](#); [REP13-127](#); [REP12-128](#); [REP12-120](#); [REP12-102](#)

## 2. Tourism

Save Our Sandlings are concerned that should these projects be consented there will be a significant impact upon tourism and the leisure industry. Tourism is the major employer in the area and is vital to many households' incomes. Post Covid, many more visitors now come to the area to relax and enjoy the relative peace and quiet, away from the urban hustle and bustle of their daily lives. The roads leading into the area are narrow and unsuitable for the introduction of great numbers of heavy goods vehicles. Tourism is worth £695M in East Suffolk supporting 14,600 jobs of which the SC&H AONB provides £228M and c 5,000 jobs to that total according Suffolk Destination Management Organisation (DMO). [\[REP1-194\]](#) An independent report by [BVA BDRC](#), commissioned by the DMO concluded that projects by the Applicant and EdF Sizewell C will result in a loss of visitor appeal and resultant revenue loss of £24M. [\[REP2-082\]](#) The following report [\[REP6-137\]](#) responds to the Applicant's statement of a "fundamentally flawed" estimation process. Save Our Sandlings and other groups and individuals are fully aware of the importance tourism and visitors play in the continuing prosperity of the region and SC&H AONB in particular.

Associated representations: [REP8-234](#); [REP11-149](#)



### 3. Health and Wellbeing

As important as employment for locals is their wellbeing. As the Government 15 January 2022 Policy Paper on “Landscapes Review (National Parks and AONBs): government response”<sup>14</sup> states that improved access for everyone is a key part of the levelling up agenda:

“The last two years have demonstrated the benefit that people get from having access to nature-rich landscapes. Our National Parks and Areas of Outstanding Natural Beauty (AONBs) have been a vital resource for so many of us, but it remains the case that they can be hard to reach. As we embark on our mission to level-up every part of the country, I want us to ask what more we can do to bring nature and people closer together...

All of England’s landscapes are important, but National Parks and Areas of Outstanding Natural Beauty (AONBs) are our most iconic and beautiful places. Based on their geology and history, these characteristic landscapes contain swathes of ancient woodland, deep peat and grassland, and many of our most threatened species such as the red squirrel, curlew and water vole. Protected landscapes represent our shared heritage and national identity, and are home to many of our rural communities and businesses. They also support our nation’s health and wellbeing as unique places to experience natural beauty and tranquillity.”

Associated representations: SOS [REP8-211](#)

SEAS [\[REP8-234\]](#) by Dr. Jane McNeil

SASES [\[REP8-229\]](#); [\[REP1-343\]](#)

Aldeburgh Town Council [\[ISH10 Mar 9, 2021 49.48mins in\]](#) Oral rep by Cllr Marianne Fellowes talking about the Applicants ‘red herrings’ and policy.

### 4. Biodiversity

The Applicant has failed to investigate an alternative cable crossing on the Aldeburgh Road pinch-point at Aldringham and to provide adequate surveys of the area. The River Hundred woodland, East of the Aldeburgh Road at Aldringham was designated a semi-broad-leaved woodland [\[REP11-063\]](#), despite Himalayan balsam (*Impatiens glandulifera*), a plant which thrives in a wet woodland environment, being very prevalent within the Order limits of Work No. 19. The Applicant did not find it due to assessments/surveys being conducted at the wrong time of year. Woodland at this location was omitted from, and was consequently not assessed in, the Applicant’s initial HRs and then was hastily and incorrectly assessed at the wrong time of year during the Enquiry. The permanent loss of this riparian woodland, a priority environment, will have consequences for the statutorily protected areas of the catchment and floodplain. Save Our Sandlings and other local campaign groups and residents have very little confidence in the Applicant’s survey results [\[APP-503, APP-504\]](#), and site visits undertaken in February 2021 [\[REP6-035\]](#) as not being fully representative.

### 5. Water Quality

Several representations have been made regarding potential damage and or pollution of the Suffolk Aquifer serving Wardens and several properties with potable water. There are serious concerns the

<sup>14</sup> <https://www.gov.uk/government/publications/landscapes-review-national-parks-and-aonbs-government-response/landscapes-review-national-parks-and-aonbs-government-response>

cable trenching activities may disturb the aquifer which runs close to the surface on land identified for the cable route. [\[REP13-076\]](#); [\[REP12-13\]](#)

## 6. Flooding

Serious concerns exist over flood risk as a result of substation infrastructure being established at Friston [\[REP13-060\]](#)

## 7. Site Selection – Alternative Sites

Save Our Sandlings, SEAS and SASES and many others have consistently asked why brownfield sites have not been considered in preference to Heritage Coast and the SC&H AONB landscape. The Applicants refers back to the connection offer from National Grid in the Leiston area, which is non-negotiable. National Grid refers to their Network Operations Assessment (NOA) as the process used to establish network connections and infrastructure location requirements. Stating their operating brief is to provide the lowest cost solution to the UK energy supply is the overriding factor in their decision making. **Lowest cost to the consumer – Highest price to the environment.** This decision directly conflicts with the Government's aims to protect and enhance the environment, and their 30 by 30 commitment to protecting 30% of UK land for nature by 2030.

RUSS RAINGER, East Suffolk Councillor for Aldeburgh and Leiston ward stated in oral representation [\[REP1-316\]](#)

“National Grid has been the instigator of this site selection. Right from the start of the examination, Russ Rainger took issue with the lack of consultation by National Grid for the development of a Grid Sub Station "Hub" on the back of the Applicant's project. With National Grid offering onshore connections to offshore projects such as SPR (EA1N and EA2), National Grid Ventures (Nautilus and Eurolink), Galloper array expansion (Five Estuaries), Greater Gabbard array expansion (North Falls), along with National Grids own (SCDC 1 [now named SeaLink] and SCDC2) undersea cables to Kent, it is clear that the Sizewell to Bramford Pylon Route (due to also carry the output from Sizewell C) has become of strategic importance (and single point of failure) in the national network.” *Writer paraphrasing*

The Right Honourable Therése Coffey MP has been consistent in proposing Bradwell in Essex as an alternative substation location and supports a split decision allowing the offshore elements to process, with a delay on the onshore infrastructure until a proper co-ordinated and holistic solution is available. [\[REP11-165\]](#); [\[REP10-070\]](#); [\[REP8-249\]](#)

SASES in their Pathfinder Project, proposes Bramford as a suitable substation location [\[REP12-127\]](#)

## THE WAY FORWARD

SEAS Further submission with regard to a 'split decision. [\[REP13-063\]](#)

	Save Our Sandlings	Suffolk Energy Action Solutions	Substation Action- Save East Suffolk	Rt. Hon Therése Coffey MP	Suffolk Destination Management Organisation	Wardens Trust	Others
Interested Party	SOS	SEAS	SASES	MP	DMO		
Topic							
Cumulative Impact	<a href="#">REP8-212</a> <a href="#">REP6-123</a> <a href="#">REP4-098</a> <a href="#">REP3-122</a>	<a href="#">REP13-072</a> <a href="#">REP11-183</a> <a href="#">REP9-087</a> <a href="#">REP8-242</a> <a href="#">REP6-141</a> <a href="#">REP5-115</a>	<a href="#">REP4-113</a>				<a href="#">REP13-124</a> <a href="#">REP13-127</a> <a href="#">REP12-128</a> <a href="#">REP12-120</a> <a href="#">REP12-102</a>
Tourism		<a href="#">REP8-234</a>			<a href="#">REP6-137</a> <a href="#">REP2-082</a> <a href="#">REP1-194</a>		<a href="#">REP11-149</a>
Health & Well-being	<a href="#">REP8-211</a>						
AONB & Biodiversity	<a href="#">REP4-099</a> <a href="#">REP3-122</a>	<a href="#">REP13-64</a>					
Water						<a href="#">REP13-076</a>	<a href="#">REP12-130</a>
Site Selection Split Decision	<a href="#">REP13-095</a> <a href="#">REP6-123</a>	<a href="#">REP13-063</a> <a href="#">REP5-114</a>	<a href="#">REP12-127</a> <a href="#">REP3-137</a> <a href="#">REP3-128</a> <a href="#">REP1-364</a>	<a href="#">REP11-165</a> <a href="#">REP10-070</a> <a href="#">REP8-249</a>			<a href="#">[REP13-063]</a> <a href="#">REP1-316</a> Submissions >50
Flooding			<a href="#">REP13-060</a>				

Appendix A

