



THE PLANNING ACT 2008

THE INFRASTRUCTURE PLANNING (EXAMINATION PROCEDURE) RULES

2010

East Anglia TWO Offshore Wind Farm

**Appendix E3b to the Natural England Deadline 6 Submission**

**Natural England's Comments on Applicant's Comments on NE Deadline 3  
Submission (AONB) [REP5-021]**

For:

The construction and operation of East Anglia TWO Offshore Windfarm, a 900MW windfarm which could consist of up to 67 turbines, generators and associated infrastructure, located 37km from Lowestoft and 32km from Southwold.

Planning Inspectorate Reference: EN010078

---

24th February 2021



## **Natural England Comments on EA2 Applicant's Comments on Natural England Deadline 3 Submissions (Area of Outstanding Natural Beauty) [REP5-021]**

### **Summary**

As set out in our Deadline 6 Appendix E4 document, our advice on the significance of the impacts remain unchanged. However, included within this Appendix is our final technical advice on the document submitted by the Applicant at Deadline 5 [REP5-021] to provide clarity on particular points and to help the ExA in their determinations.

Natural England would also like to mention that Deadline 6 Appendix K5 outlines Natural England's advice on seascape and landscape visual amenity (SLVIA) impacts discussed under the agenda items at the Issue Specific Hearing (ISH) 8 held on the 18th February 2021.

#### **1) Detailed comments on the document Section 3: Response to Key Statements**

1. Because this section relates to the interpretation of planning policy Natural England offers no comments. As we stated in our response to the Applicant's Deadline 3 submission (Appendix E3 at paragraphs 4 and 5 [REP3-120]) Natural England does not offer interpretations of national planning policy as this is a matter for the regulatory decision makers.

#### **2) Section 4:SLVIA Significant / Magnitude of effect**

2. At paragraph 32 Natural England notes the Applicant's clarification supporting the findings of the Seascape and Landscape Visual Impact Assessment (SLVIA) and welcomes this. We also note the:
  - additional commentary on a need to place the conclusions of the assessment '*into an appropriate context*' for consideration in the planning balance and in relation to the relevant policy texts: and
  - The statement to the effect that significant effects do not carry the same weight in the planning balance.

Natural England provides no comment because these are matters for the ExA to deliberate and decide.



i) **Magnitude of effect – GLVIA 3**

3. Guidelines for Landscape and Visual Impact Assessment (GLVIA3) states that the magnitude of effect is assessed by combining judgements of:
- The size and scale of the effect – (for EA2; the occupation of approximately 200km<sup>2</sup> of seascape)
  - The geographical extent of the effect – (for EA2; a length in excess of 40km of the Suffolk coastline, the majority of which is within the Suffolk Coast and Heaths Area of Outstanding Natural Beauty (SCHAONB) and Suffolk Heritage Coast).
  - The duration of the effect and its reversibility – (for EA2 at least 25 years).

Figure 3.5 on p.39 of GLVIA3 illustrates where the assessment of magnitude of change fits into the overall SLVIA process.

4. In Appendix 28.4 of the Environmental Statement the Applicant provides details of the assessed effect on landscape receptors (defined by the Suffolk County Council LCA) whilst Appendix 28.5 does the same for visual receptors. Special qualities are documented in Chapter 28 28.7.3.2.3.6 on pages 70 to 77. In all of these documents frequent reference is made to the magnitude of effect being medium. (As noted by the Applicant in certain instances we have used ‘moderate’ instead of ‘medium’ and we apologise for any confusion caused by this.) In all these instances the significance of effect judgement is classified as either ‘significant’ or ‘not significant’. As noted by the Applicant at paragraph 33, and again in paragraph 34, no statement on the ‘*degree of [significant] effect*’ has been made. **An effect therefore is either ‘significant’ or ‘not significant’. This is the basis upon which we have provided our advice.**
5. At paragraph 35 the Applicant references the second bullet point of GLVIA3 paragraph 3.35. This paragraph deals with the need for clear and accessible explanations listing 3 potential pitfalls. For completeness here is the 2<sup>nd</sup> bullet point of paragraph 3.35 in full;
- *‘Failure to distinguish between the significant effects that are likely to influence the eventual decision and those of lesser concern’.*
6. Natural England has always understood the phrase ‘*those of lesser concern*’ to refer to non-significant effects (which can, mostly, be discounted) rather than significant effects which need to be accounted for. Natural England also considers GLVIA3 to be unhelpful on this subject because at paragraph 3.34 the final sentence reads;



*'It should also be made clear that effects not considered to be significant will not be completely disregarded'.*

7. It is because of the **ambiguity** of GLVIA3, and its potential to create confusion, that Natural England reviews the statements and conclusions of SLIVAs and LIVAs at face value. Therefore, where an effect is assessed as 'significant' we consider it to be significant in EIA terms. Natural England assumes that such an approach is accepted by the Applicant (at paragraph 34) as no statements on the '*degree of [significant] effect*' has been made in the SLVIA. Therefore, an effect is either significant or not significant.
8. In addition the 3<sup>rd</sup> bullet point of 3.35 of GLVIA3 highlights another potential pitfall;
  - '*Losing sight of the most glaringly obvious significant effects because of the complexity of the assessment*'.

This is something which Natural England seeks to avoid when setting out our advice.

## **ii) Magnitude of Visibility**

9. At paragraphs 39 to 46 the Applicant returns to the subject of visibility. Natural England has provided advice on this matter<sup>1</sup> [REP1-157, REP3-120 and Appendix E4 at Deadline 6] and has nothing further to add on this subject.

## **3) Section 5: Geographical Extent of Significant Effects**

10. At paragraph 49, the Applicant states that Natural England has '*misunderstood the point*'. However, as the extracts from the Navitus ExA Report demonstrate Natural England has not misunderstood the point (as provided in REP3-120).
11. The statutory purpose of the SCHAONB extends to all parts of the designation i.e. all of its constituent parts (including the Reactor Hall of Sizewell B power station) and not simply to the designation '*as a whole*' as maintained by the Applicant. The logical conclusion of the Applicant's assertion is that unless a development scheme effects the entirety of the designation, the 'whole', then the statutory purpose of the designation cannot be

---

1

Relevant Representation [RR-059] - 'Note about the visible height of off-shore wind turbines' and at 2.8 (January 2020)  
Applicant.



compromised. Natural England cannot envisage a scheme which could affect the whole designated area, and all of the special qualities, of the SCHAONB; an area which extends to 403km<sup>2</sup>.

12. Having re-read the Applicant's submissions on this point we offer the following observation. We think that in applying the GLVIA3 methodology the Applicant has treated the SCHAONB a single 'landscape unit' (which extends to 403km<sup>2</sup>; so bigger than many National Character Areas) and treated the special qualities of the SCHAONB as characteristics of this landscape unit. In doing so they have misunderstood the importance of the special quality descriptions and how they articulate the natural beauty of the SCHAONB. The statements set out what makes the area special, worthy of national designation and protection in national planning policy. Although such statements have no legal status, they are helpful in framing assessments and judgements about the significance of a development proposal on the statutory purpose of a designated landscape. This is why Natural England refer to these statements in our advice. The Applicant has failed therefore to understand how the statutory purpose of the SCHAONB applies the whole of the AONB and all of its constituent parts.
  
13. The Applicant's assessment has concluded significant adverse effects will only occur on one geographic part of the SCHANOB and 5 of the 18 special qualities (Natural England judge this to be 11 of the 18). If the area encompassed by the SCHAONB was not a designated landscape i.e. just a 'landscape unit' then a judgement of no of overall effect may have been justified, but this is not appropriate for an AONB. As we have set out at length, the statutory purpose of the SCHAONB applies equally to all of the designation and to all of its parts. This is why Natural England has concluded that the EA2 scheme will result in a significant adverse effect on the statutory purpose of the SCHAONB even if the 'the whole of the AONB' will not be directly affected.
  
14. It is this misunderstanding by the Applicant that we believe explains the continued reference by the Applicant to '*no overall effect*' and '*as whole*' as a means of characterising the nature of the adverse significant effects. Our advice, as the national landscape agency and designating authority for the AONB, is that these references are not relevant and should be discounted.
  
15. Paragraphs 50 – 59: It is a point of disagreement between the Applicant and Natural England as to the extent of the geographical extent of this effect. Natural England has



provided extensive advice about the geographical extent of the effects on the special qualities, landscape receptors and visual receptors intrinsic to and reliant upon the natural beauty of the SCHAONB and its seascape setting. Our advice on these matters has not changed. Therefore, Natural England offers no further comment on these matters and suggests that differences on the subject are simply a matter of differing professional judgements. Because of this, Natural England does not agree with the statement in paragraph 50 '*This is not the case*' which seeks to cast the Applicant's judgement as a matter of fact, definitive and not open to challenge, which it is not the case.

16. We note that the Applicant continues to refer to the route of the Suffolk Coastal Path. However, on the 29<sup>th</sup> January 2020 Natural England published its proposals for the section of the English Coastal Path between Aldeburgh and Hopton-on-Sea. The English Coastal Path (ECP) is designated as a National Trail. See below for details;

<https://www.gov.uk/government/publications/england-coast-path-from-aldeburgh-to-hopton-on-sea-comment-on-proposals>

17. As the map contained within the link clearly shows (at point 4) the proposed route of the ECP may not in all instances follow the route of the Suffolk Coastal Path (SCP). Where the alignment of the new route is closer to the shoreline, extensive and uninterrupted views out to sea are possible. Should EA2 be built, it will be readily apparent in these views. The continuous experience of the significant adverse effects on walkers using ECP will be greater than for users of the inland route of the SCP.
18. Paragraph 56 accurately articulates Natural England view. For the reasons already provided, Natural England disagrees with Applicant's statements contained in paragraph 57. The statement '*although a significant change will occur in some views on occasions, long sweeping and distant views would remain with big skies and extensive foregrounds of sea or shore*' is factually correct in describing what would not change, but crucially excludes a description of what the significant change would be i.e. the introduction into those views of up to 60 or so 282m tall turbines. This statement therefore risks under-representing the adverse effects of the scheme.
19. Following a review of the distance figures provided in Appendix 1 (paragraphs 110 and 111) we note that the length of the SCHAONB coastline where significant adverse effects are predicated is 27.5km. We welcome the Applicant's figure which confirms Natural



England's earlier statement that the 'majority' of the 35km stretch of SCHAONB coastline within the ZTV will be adversely effected by the turbines of EA2.

#### 4) Section 6. The Future Character of the SCHAONB

20. AONB Management Plans are a material consideration for proposed development schemes determined using policies contained in the NPPF 2019. They are specifically mentioned in National Planning Practice Guidance, which states;

*'Management plans for National Parks, the Broads and Areas of Outstanding Natural Beauty do not form part of the statutory development plan, but they help to set out the strategic context for development. They provide evidence of the value and special qualities of these areas, provide a basis for cross-organisational work to support the purposes of their designation and show how management activities contribute to their protection, enhancement and enjoyment. They may contain information which is relevant when preparing plan policies, or which is a material consideration when assessing planning applications.'*

21. Generally, AONB management plans set out the special qualities of the area in the form of descriptive statements and a set of broad objectives which seek to conserve and enhance the natural beauty of the designation. AONB management plans do not contain any local land use planning policies or aspirations which override those set out in either local development plans, national policies or primary legislation.

22. Equally, National Policy Statements EN-1 and EN-3 make no reference to AONB Management Plans. Therefore, in our submissions we have advised that the AONB Management Plan provides neither a justification for the granting of approval for EA2, nor does it provide any 'weight' within the decision-making process. It is, therefore, our view that it is not a material consideration.

23. Natural England used the word 'speculative' to reflect the fact that the future character of the AONB coastline is not preordained, either by EN-1 and EN-3 or by descriptive statements made in the Suffolk Coast and Heaths AONB Management 2018 – 2023. Although the term 'speculative' was perhaps a poor choice of adjective, 'hypothetical' would have been more appropriate. Our intent was to demonstrate that the wording in the



SCHAONB Management Plan simply anticipates what the future character of the AONB landscape and its seascape setting might be, not a definite policy endorsed prediction of what it will be.

24. Should the ExA deem that the text referring to the Suffolk Energy Coast, as set out in the SCHAONB Management Plan, is a material consideration in determining the scheme then Natural England considers that other relevant policies in the NPPF 2019 are also material considerations. In particular paragraphs 170 c) and 173 as they relate to the Suffolk Heritage Coast. And as such further assessments by the Applicant of the Suffolk Heritage Coast will be required.

### **5) Section 7. Comparisons with other Offshore Windfarms**

25. Natural England maintains that the evidence and ExA reasoning from the Rampion and Navitus Wind Park examinations, which we provided in response to the Deadline 3 SPR submission (C.4, 18, 19, 20.), is relevant to consideration of the EA2 scheme.
26. At paragraph 65; Natural England confirms that it was our aim to assist the ExA in its task. We note that as defined within EN-1 the Navitus Wind Park scheme is not 'permitted infrastructure'. However, there are few examples of offshore wind farms in the setting of coastal designated landscapes in England where the EIA has predicted that significant adverse effects will occur. In order to assist the ExA, we thought it helpful to draw their attention to the specific paragraphs of the Inspectors Report for the Navitus Wind Park scheme as they relate to the statutory purpose of the Dorset AONB and New Forest NP. We are not suggesting a physical like for like comparison is helpful. It is for the ExA for the EA2 scheme to decide whether or not the reasoning and conclusions of a previous ExA relating to adverse effects on the special qualities of the Dorset AONB and New Forest NP are relevant in the determination of EA2.
27. Each of England's designated landscapes is unique in the way in which natural beauty is expressed. The manner in which offshore windfarms present themselves to a given coastline is also unique. It simply not possible to make physical comparisons between different designated landscape / offshore wind relationships as this would fail to take account into a multitude other characteristics<sup>2</sup> both physical and non-physical which

---

<sup>2</sup> Including, but not limited to: geology and landform, vegetation cover, land use, settlement pattern, climate and visibility, recreational use and value, artistic and cultural associations and the historic environment.





combine together to create a sense of place. It would also undermine the whole notion of landscape character, the role this plays in EIA as well as the designation process by which National Parks and AONBs have been established.

**28. Any conclusions drawn from comparing the effect of a given offshore windfarm on a particular designated landscape and the visual amenity it affords with that of another offshore windfarm on another designated landscape would be false, misleading and therefore not a sound or safe basis for decision making.**

29. For the reason set out above, directly comparing the physical influence of the EA2 scheme with those of other offshore arrays located off the coast of other designated landscapes is unhelpful. We have already provided commentary on the nature of the relationship between the Rampion windfarm and the 1,500m of coastline of the South Downs National Park at Rottingdean. We will not be providing any further commentary on this example.

30. In our advice Natural England have, and will only, make reference to the visual influence of the of the Greater Gabbard and Galloper arrays on the SCHAONB as a means of understanding the effect of the turbines of EA2. For completeness, here are the apparent height values for these arrays, noting that the EA2 turbines will appear to be taller than those of both Greater Gabbard and Galloper, despite the fact that they are located further offshore.

Windfarm	Viewing height (m) (VP 18 Orford Ness)	Turbine height Blade Tip (m)	Minimum Distance (km) (as measured from Viewpoint 18)	Apparent height of closest turbine (degrees) NE Figure
EA2	5.8	282	37.4	0.352*
Greater Gabbard	5.8	134	25.1	0.268
Galloper	5.8	180	29.3	0.300

\*0.352 is the minimum value from within the geographic area where significant adverse effects are predicted to occur from EA2. The maximum value is 0.450.



THE TURBINES OF EA2 WILL APPEAR TO BE **TALLER** THAN THE TURBINES OF GALLOPER EVEN THOUGH THEY ARE LOCATED FURTHER AWAY FROM THE COAST.

31. Natural England advises that this is the only physical comparison which worthy of consideration by the ExA and therefore helpful in their deliberations. We advise that all other physical comparisons will be unhelpful and misleading.

32. We advise therefore that the Applicant's text at paragraph 66 ii) and iii) is not relevant and contradicts previous statement made by the Applicant. For completeness this text is repeated below;

*'The Applicant considers that judgements on significance should be properly based on the assessment material provided in the ES which have been undertaken with best practice GLVIA3'.<sup>3</sup>*

33. Therefore, it may be helpful to the ExA for the Applicant to confirm that they still support their previous statement.

34. The relevance of how adverse effects on special qualities have been considered within national planning policy for other offshore wind farm applications is a matter for the EA2 ExA and regulators to decide. Our highlighting the relevant paragraphs of the Navitus and Rampion ExA Reports is intended to support that decision-making process. Natural England continues to advise that the conclusions provided in the EIA for the EA2 scheme should be the principal basis for decisions about the acceptability of the scheme, highlighting of course where and how we disagree with the EIA's conclusions and the assessed effect on the statutory purpose of the SCHAONB.

35. At paragraph 67: Natural England disagrees with the Applicant's assertion that the Navitus Wind Park scheme is not relevant as a comparable example for the reasons and evidence supplied in our response to the Deadline 3 submission (C. 4, 18, 19, 20).

---

<sup>3</sup> Applicant's Comment on Relevant Representations Volume 3 Technical Stakeholders p.397 (NE2.5 to 2.8). 11<sup>th</sup> June 2020.