



**National
Trust**

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16th February 2023

Online submission: Planning Inspectorate

Your Ref: EN010109

Our Ref: 20033322

Dear Sir/Madam

**Application by Equinor for an Order Granting Development Consent for the
Sheringham and Dudgeon Extension Project (EN010109)**

Procedural Deadline 1 Submission: Written Representation

This Written Representation is made on behalf of The National Trust for Places of Historic Interest or Natural Beauty (“the Trust”).

As set out in our Relevant Representation (RR-061), the National Trust owns Sheringham Park, located to the east of Weybourne on the North Norfolk Coast. The estate includes 1000 acres of varying habitats including woodland, parkland and cliff top, and the Grade II* Sheringham Hall. The Trust operates a major visitor-based business at Sheringham, supporting and promoting its preservation work.

In 1997, pursuant to section 21 of the National Trust Act 1907, Weybourne Woods were declared “inalienable”. This status enables the Trust to live up to its core charitable objective of preserving places of historic interest and natural beauty for the nation, forever. The proposed Onshore Works Plans include a cable corridor (and access route) for onshore connection works which would pass through Trust owned inalienable land at Weybourne Wood which is part of the Sheringham Estate and part of the designated Norfolk Coast AONB.

The National Trust has a duty to protect and care for special places so people, nature and culture can thrive. We believe that climate change poses one of the greatest threats to them. We believe strongly in the need to grow renewable energy and reduce the UK’s and the Trust’s use of fossil fuels. We are supportive of renewable energy as a matter of principle and believe that appropriate development can play an important role.

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We recognise the scale and complexity of the challenge to the nation of transitioning to renewable energy and acknowledge that any impacts upon the setting and significance of special places across the country will need to be considered in light of the pressing need to deliver clean energy. We believe delivering renewable energy projects with respect for the setting and significance of places is possible and all projects should aim to do so.

This Written Representation expands on, and updates our position on the issues raised in our Relevant Representation, namely:

- The impact of the current proposals on the archaeology of the Sheringham Estate.
- The impact of the current proposals on Sandwich terns (an SPA feature) on the North Norfolk Coast.
- Landscape, visual and ecological impacts on the Sheringham Estate.
- Acquisition of Rights over Land.

Onshore Archaeology

The Trust has a duty to protect our heritage and all archaeology within its care. As a Conservation organisation, the Trust has a greater responsibility than other landowners in terms of its requirement to preserve and investigate archaeology on its land. The potential impact of development on archaeological remains in the Estate is significant for the Trust given its commitment to their conservation.

The proposed groundworks pass through a wooded area of the wider Sheringham Estate, as shown on submitted Document 26, 'Works Plan (Onshore), Sheets 3 and 4 (Examination Library Ref: APP-011). Whilst the exact area of the proposed groundworks has not had a formal archaeological survey, Weybourne Woods has been subject to a superficial survey by the Trust, revealing networks of medieval and post-medieval wood banks, quarry pits of medieval to modern date and a number of WWI and WWII defensive features. Furthermore, there exists an extant scheduled prehistoric barrow to the southeast of the proposed groundworks indicating that the wider area may home additional prehistoric settlement and/or funerary activity.

Given the number of archaeological features recorded in the adjacent woodland, the Weybourne Woods area has the potential to contain a similar range and quantity of features, which have not yet been surveyed or documented.

The majority of recorded features within the woodland at Sheringham are extant (ie. Not buried remains) and therefore any disturbance to the woodland may result in direct damage to the archaeological features. Disturbances including heavy plant and small vehicle movement, temporary access route construction and/ or associated construction services will potentially have a negative impact on any existing above-ground (and any potential buried) remains. As well as archaeological potential, there is also the likelihood of buried ordnance within the proposed development area given the use of the woodland during WWI and II.

It is imperative then, that the woodland is subject to archaeological and historic landscape surveys prior to any groundworks, inclusive of vehicle movement. Areas proposed for development and the wider environs should be subjected to full and extensive UXO survey.

Status of discussions with Equinor

The Trust discussed its concerns about archaeology at a meeting with the developer on 2nd February 2023. Our preference would be for long-term preservation of above ground and buried remains. Where excavation is necessary, the Trust would like to ensure thorough preservation by record. The Trust would also like to secure a method to ensure that this information is made available to visitors and the community in a way that enriches their experience and understanding of the Estate.

The developer indicated to the Trust that it is proposing to consult with the County Council Archaeologist and the National Trust to agree an approach to further survey work and mitigation. The Trust understands from the developer that this will be post consent if a Development Consent Order is granted.

The Trust considers that this issue could be overcome if the Outline Written Scheme of Investigation (Onshore) is updated to include the National Trust as a consultee and acknowledge the requirement for a bespoke pre-construction survey and mitigation at Sheringham Park in the appropriate phase, as referred to in requirement 18 of the Draft DCO (On-Shore Archaeology, written scheme of archaeological investigation).

Impact on Sandwich terns

The Trust manages an important colony of Sandwich terns on the Norfolk coast at Blakeney Point, alongside Natural England at Scolt Head Island National Nature Reserve. The site at Blakeney is a Special Area of Conservation (SAC), Special Protection Area (SPA), Ramsar site, National Nature Reserve (NNR), and a Site of Special Scientific Interest (SSSI), as well as being an Important Bird Area (IBA). The tern colony alternates between the two sites and represents approximately a third of the UK Sandwich tern population. This colony will be adversely impacted by the proposed development, as recognised in the supporting documentation predicting a loss of up to 28 birds per annum through collision or displacement.

The Trust has been in discussions with the developer about compensation measures at the Farne Islands, which is managed by the Trust.

Since submitting our Relevant Representation, the Trust has considered this matter further. The Trust remains committed to our conservation and positive management of our wild bird populations on the Farne Islands and Northumberland Coast. Sandwich tern numbers are steeply declining in the short and long term on the islands. Habitat change and predators are likely to be a factor and colonies were also badly affected by Avian Influenza in 2022. It is noted that Avian Influenza has not been considered in the supporting DCO documentation and presents serious concern for Sandwich terns and other seabirds conservation status.

The compensation proposals put forward by the developer for the Farne Islands do not demonstrate additionality. The current draft NNR management plan for the Farne Islands details the extensive conservation efforts that the Trust undertakes, or is planning to undertake, during the next period of the plan. Whilst the Trust has been keen to explore options for helping to enhance the population of Sandwich Terns on the Farne Islands, we are not confident that proposals by the developers to date would be effective in achieving their objectives on the Farne Islands, and in particular do not feel that they demonstrate

additionality to our existing management proposals, which by their very nature are comprehensive.

For these reasons the Trust does not feel that the compensation measures proposed for the Farne Islands are appropriate. However, it remains the case that without a satisfactory derogation case and alternative compensation measures, the proposal will give rise to an adverse effect on the integrity of the Sandwich tern feature of the North Norfolk Coast SPA and this matter needs to be addressed.

Status of discussions with Equinor

The Trust advised the applicant of its position on 20th January 2023, and this is reflected in the draft Statement of Common Ground between the applicant and the Trust.

Landscape, Visual & Ecological Impacts

Weybourne Woods was declared inalienable in order to protect views from Sheringham Park and prevent inappropriate development. Construction impacts on Weybourne Woods and the AONB have been identified as moderate significance and adverse impact in the submitted Landscape and Visual Impact Assessment (Examination Document Ref: APP-112). Furthermore, it is proposed to remove an area of forestry at the HDD launch and reception pit.

In our Relevant Representation the National Trust indicated that it is not clear from the application documents what landscape, arboricultural and ecological mitigation and enhancements are proposed.

This National Trust's concerns were raised by the Inspector at Issue Specific Hearing 2 and it is understood that the applicant will be addressing these in its response to the Relevant Representations at Deadline 1. The Trust will review these and update its position at Deadline 2.

Status of discussions with Equinor

Since submitting our Relevant Representation, the National Trust has met with the developer to discuss this issue. It is understood that replacement trees will not be proposed along the cable route or in the location of the reception pit. It is understood that at this stage only baseline habitat surveys have been undertaken. The developer has advised the Trust that pre-construction surveys would be carried out and these would inform the proposed landscape, arboricultural and ecological mitigation and enhancements. In order to adequately address our concerns, the Trust therefore wishes to be named as a consultee in the 'Outline Landscape Management Plan' and 'Outline Ecological Management Plan' and requests that the applicant updates these documents accordingly.

Acquisition of Land and Rights over land

Equinor proposes to compulsorily acquire rights in perpetuity over the Trust's inalienable land at Weybourne wood for the proposed cable corridor.

As an independent charity, where the Trust considers land to be of such preservation or historic value that it should hold and manage it, in perpetuity for the benefit of the nation, the Board of Trustees is able to designate the land "inalienable". Once land has been declared inalienable it cannot be sold and only Parliament can authorise compulsory acquisition of

the land or rights over the land in the face of any objection by the Trust to a compulsory acquisition proposal. This is how the Trust fulfils its charitable purposes as laid down in the National Trust Acts.

Article 18 of the draft DCO says “The undertaker may acquire compulsorily so much of the Order land as is required for the authorised project or to facilitate, or is incidental, to it”. The description of Order land in the book of reference and/or DCO application should specifically exclude National Trust land in the same way that Crown Land is excluded, otherwise we will not be able to withdraw our objection until such time as the option agreement and easement are both signed.

Status of discussions with Equinor

The Trust has been working with Equinor to agree terms of this access that will cause minimal impact and disruption and with a view to securing a signed Option Agreement and Deed of Easement for the requisite cables and access over and under Trust land. However, at the time of writing, terms have not yet been agreed. Therefore, the Trust’s concerns about this application as expressed here remain unaddressed.

Yours faithfully

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