



THE PLANNING ACT 2008

THE INFRASTRUCTURE PLANNING (EXAMINATION PROCEDURE) RULES

2010

**Appendix K to the Relevant Representations of Natural England
Landscape and Visual Impact Assessment**

For:

The construction and operation of the Five Estuaries Offshore Wind Farm located approximately 57km from the Essex Coast in the Southern North Sea.

Planning Inspectorate Reference EN010115

13 August 2024

Appendix K – Landscape and Visual Impact Assessment

In formulating these comments, the following documents have been considered:

- [APP-064] 6.1.3.1 Cumulative Effects Assessment Methodology
- [APP-083] 6.3.1 Onshore Project Description
- [APP-084] 6.3.2 Landscape and Visual Impact Assessment
- [APP-197] 6.7.10.1 Seascape, Landscape and Visual Methodology
- [APP-198] 6.7.10.2 Seascape, Landscape and Visual Viewpoint Assessment
- [APP-180] 6.7.2.1 Landscape and Visual Impact Assessment Figures
- [APP-181] 6.7.2.2. Figure 2.16a-c VP1 Ardleigh Road near Normans Farm
- [APP-182] 6.7.2.2.2 Figure 2.16d-g VP1 Ardleigh Road near Normans Farm
- [APP-183] 6.7.2.2.3 Figure 2.17a-c VP2 Barn Lane PRoW
- [APP-184] 6.7.2.2.4 Figure 2.17d-g VP2 Barn Lane PRoW
- [APP-185] 6.7.2.2.5 Figure 2.18a-c VP3 Grange Road PRoW
- [APP-186] 6.7.2.2.6 Figure 2.18d-g VP3 Grange Road PRoW
- [APP-187] 6.7.2.2.7 Figure 2.19a-g VP4 Ardleigh Road near Jennings Farm
- [APP-188] 6.7.2.2.8 Figure 2.20a-c VP5 Barlon Road near Little Bromley
- [APP-189] 6.7.2.2.9 Figure 2.20d-g VP5 Barlon Road near Little Bromley
- [APP-190] 6.7.2.2.10 Figure 2.21a-c VP6 Badley Hall Road
- [APP-191] 6.7.2.2.11 Figure 2.21d-g VP6 Badley Hall Road
- [APP-192] 6.7.2.2.12 Figure 2.22a-g VP7 Little Bromley PRoW
- [APP-193] 6.7.2.2.13 Figure 2.23a-f VP8 Lillleys Farm
- [APP-195] 6.7.2.2.15 Figure 2.25a-c VP10 Waterhouse Lane
- [APP-196] 6.7.2.2.16 Figure 2.26a-c VP11 Bounds Farm Hungerdown Lane
- [APP-234] 9.4 Onshore Substation Design Principles Document
- [APP-254] 9.22 Outline Landscape and Ecological Management Plan

1. Natural England’s Advice and Recommendations

- 1.1 A summary of Natural England’s key concerns in relation to Landscape and Visual Impact Assessment is set out in Table 1. Our detailed advice and recommendations are presented in further detail in Table 2.
- 1.2 Below, Natural England highlights the requirements on decision makers brought about by LURA 2023 which have informed the advice we provide in this Appendix. Natural England advises that S245 LURA 2023 places a duty on relevant authorities in exercising or performing any functions in relation to, or so as to affect, land in a National Park, the Broads or an Area of Outstanding Natural Beauty (“National Landscape”) in England, to seek to further the statutory purposes of the area. The duty applies to local planning authorities and other decision makers in making planning decisions on development and infrastructure proposals, as well as to other public bodies and statutory undertakers.
- 1.3 It is anticipated that the government will provide guidance on how the duty should be applied in due course.
- 1.4 In the meantime, and without prejudicing that guidance, Natural England advises that:

- 1.4.1 the duty to 'seek to further' is an active duty, not a passive one. Any relevant authority must take all reasonable steps to explore how the statutory purposes of the protected landscape (A National Park, the Broads, or an AONB) can be furthered;
- 1.4.2 The new duty underlines the importance of avoiding harm to the statutory purposes of protected landscapes but also to seek to further the conservation and enhancement of a protected landscape. That goes beyond mitigation and like for like measures and replacement. A relevant authority must be able to demonstrate with reasoned evidence what measures can be taken to further the statutory purpose;
- 1.4.3 The proposed measures to further the statutory purposes of a protected landscape, should explore what is possible in addition to avoiding and mitigating the effects of the development, and should be appropriate, proportionate to the type and scale of the development and its implications for the area and effectively secured. Natural England's view is that the proposed measures should align with and help to deliver the aims and objectives of the designated landscape's statutory management plan. The relevant protected landscape team/body should be consulted.

Glossary of Acronyms and Abbreviations

ES	Environmental Statement
LPA	Local Planning Authority
LVIA	Landscape and Visual Impact Assessment
NL	National Landscape
NSIP	Nationally Significant Infrastructure Project
OWF	Offshore Wind Farm
PINS	Planning Inspectorate
VE	Five Estuaries
VP	Viewpoint

Please note: This appendix should be read in conjunction with the Summary of Key Environmental Concerns contained within our Relevant Representations.

Table 1 Summary of Key Issues – Landscape and Visual Impact Assessment.

NE Ref	Summary of Key Concerns	Natural England’s Recommendations to Resolve Issues.	Risk
K1	Owing to insufficient evidence on the Norwich-Tilbury substation design/impacts at this stage, Natural England is concerned that there is a potential for in-combination/cumulative impacts between this project, the Five Estuaries (VE), and North Falls substations.	Natural England understands that further detail on the Norwich-Tilbury substations is likely to become available during the VE examination. Therefore, we advise that potential in-combination/cumulative impacts between VE, North Falls, and Norwich-Tilbury substations should be fully considered and assessed, when further evidence is available regarding the latter project. In addition, we advise that appropriate mitigation measures should be applied, if necessary.	

Table 2 Natural England's Detailed Advice and Recommendations – Landscape and Visual Impact Assessment.

Natural England's Key Considerations	Natural England's Advice				
Relevant and Written Representations	NE Ref	Ref	Comment	Recommendation.	Risk (RAG)
National designated landscapes - Document Used: As listed above.					
National designated landscapes	K2	General	We welcome the collaboration between the VE and North Falls Offshore Wind Farm (OWF) Projects to co-locate, and design the layout of, their substations, planted screening and landscape mitigation. This is a positive development in terms of their landscape approach, and we therefore provide no further comment on this matter during examination and defer to the Local Planning Authority (LPA).	None.	
	K3	General	Natural England is concerned that there is the potential for in-combination/cumulative impacts between VE, North Falls and Norwich-Tilbury NSIP substations. The Norwich-Tilbury project is at an earlier stage of design development. Therefore, there has been less co-ordination with this project. Consequently, there is a potential risk for landscape and visual impacts arising from all three projects in combination. While we believe the likelihood of a significant impact to the purposes of the national landscapes is low, there is currently insufficient	We advise that potential in-combination/cumulative impacts across the VE, North Falls and Norwich-Tilbury Projects should be fully considered and assessed, when more information is made available. Any Relevant Reps made concerning in-combination/cumulative impacts to National Landscapes arising from all three projects should be considered in all three project submissions and during examination. In addition, Appropriate mitigation measures should be applied, if necessary.	

Natural England's Key Considerations	Natural England's Advice				
Relevant and Written Representations	NE Ref	Ref	Comment	Recommendation.	Risk (RAG)
			evidence regarding the Norwich – Tilbury substation design to be able to rule out in-combination effects across all three projects.		
	K4	P111 VP9	Natural England agrees with the Applicant that there will be no effect on visual receptors for the Dedham Vale / Essex Way Viewpoint (VP) for both VE alone and VE delivered alongside the North Falls substation. This judgment appears to be consistent with the visualisations presented in 6.7.2.2.14 Figure 2.24a-c VP9 Essex Way Dedham Road, which show that the top of the ONSS as being more or less level with the field boundary hedgerow, and therefore even in winter when the trees are not in leaf, the substation would be screened by the field hedgerow boundary from this VP, plus any intervening vegetation or buildings beyond the field and the site at a distance of approx. 2km. Therefore, Natural England will not provide further comment on NLs during the examination	N/A	
	K5	P113 VP11 Annex 2.2.16: Figure	Natural England notes that Bounds Farm V11 is approximately 1km south of the Dedham Vale National Landscape boundary. While we agree that there is unlikely to be a change to the baseline view and therefore no effect on visual	Natural England advise that the Applicant considers additional mitigation measures which may address the winter visibility whilst mitigation screening is established.	

Natural England's Key Considerations	Natural England's Advice				
Relevant and Written Representations	NE Ref	Ref	Comment	Recommendation.	Risk (RAG)
		2.26a-c VP11 Bounds Farm Hungerd own Lane	receptors for at Bounds Farm, for both VE alone and VE delivered alongside the North Falls substation; there it is a possibility that there may be some visibility in winter at year 0 before mitigation screening is established.		
	K6	Sec 2.6	<p>Natural England advises that the above two visualisations, along with the screened Zone of Theoretical Visibility (ZTV) and conclusions within the LVIA provide reassurance that the proposed VE substation, both as a standalone project, and in combination with the North Falls substation, will not be visible from Dedham Vale or Suffolk and Essex Coasts and Heaths National Landscape. Therefore, we agree with the Applicant that there is unlikely to be any significant adverse landscape and visual effects arising to either National Landscape because of the terrestrial aspects of the project.</p> <p>Therefore, Natural England will not provide further comment on NLs during the examination.</p>	N/A	