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Our Reference: S/086/01195/23

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Date: 11th June 2024

Planning Inspectorate
Temple Quay House
Temple Quay
Bristol
BS1 6PN

Ref. Application: EN010130

Sent via email to:

outerdosingoffshorewind@planninginspectorate.gov.uk

Dear Mr Jenner,

APPLICANT:	Outer Dosing Offshore Wind
PROPOSAL:	Development consent to construct, operate and maintain, and decommission the Project, which is located approximately 54km from the Lincolnshire coastline pursuant to section 14(1)(a) and 15(3) of the Planning Act 2008.
LOCATION:	Outer Dosing Offshore Wind

Thank you for your recent consultation in relation to the above. Sam Dewar of Dewar Planning Associates has been instructed to act as lead officer on behalf of the three Local Planning Authorities consulted (Boston Borough Council, South Holland District Council and East Lindsey District Council).

Following the previous rounds of consultation, the Applicant has now submitted a Development Consent Order application to the Planning Inspectorate, the examination of this submission is underway with the following response representing the Local Planning Authority views on the final submitted application.

An individual response will be provided on behalf of each Local Planning Authority (LPA) detailing how the development within their authority boundary impacts them. This follows a previous consultation response under Section 42 of the Planning Act 2008.

Introduction

By way of an introduction, I am a chartered member of the RTPI and act as Director and founder of Dewar Planning. I have previously worked as planning officer through to head of planning at local planning authorities and have since formed my own private planning practice submitting applications to over 100 local planning authorities across the UK. These applications have ranged from large wind farms to residential schemes, and various small to

major scale commercial developments. We also continue to provide bespoke consultancy assistance for local planning authorities due to the positive relationships we have developed.

The applicant 'GTR4 Limited (trading as Outer Dowsing Offshore Wind)' has applied to the Secretary of State for a Development Consent Order (DCO). Development consent is required to the extent that development is or forms part of a Nationally Significant Infrastructure Project (NSIP) as a generating station pursuant to section 14(1)(a) and 15(3) of the 2008 Planning Act. As the Project is expected to have a capacity of greater than 100 MW, it is an NSIP for the purposes of the 2008 Act.

The Project will comprise up to up to offshore 100 wind turbine generators and a network of subsea array cables together with associated onshore and offshore development.

The relevant onshore works as reviewed in this response include:

- landfall connection works located at Wolla Bank, south of Anderby Creek;
- onshore cables from the landfall to the onshore substation, including link boxes, earth pits and joint bays;
- an onshore HVAC substation at Surfleet Marsh to the North of Spalding;
- onshore cables from the onshore substation to a National Grid substation including link boxes, earth pits and joint bays;
- accesses, temporary works areas, and landscaping;
- drainage works, sustainable drainage system ponds, and surface water management systems; and
- other works as may be necessary or expedient for the purposes of or in connection with the relevant part of the authorised project.

We have extensively reviewed the submission topic areas as part of this response. This response primarily focuses on the final response for the landscape and visual impact assessment; however, the following topic areas have also been considered as part of this response:

- Air Quality;
- Onshore Archaeology and Cultural Heritage;
- Onshore Ecology;
- Geology and Ground Conditions;

- Hydrology, Hydrogeology and Flood Risk;
- Land Use;
- Noise and Vibration;
- Traffic and Transport and,
- Landscape and Visual Assessment.

The application has seen several changes following the previous consultation rounds. Most notably the final route of the cable has been determined, from the landfall location at Wolla Bank running south to the location of the substation at Surfleet Marsh. Previously the southern route had two options north and south of the A52, with many stakeholders preferring the northern route, this has been selected as the final proposed route and considered to reflect the best overall route when all impacts have been considered. Whilst the final technology for the substation is yet to be determined as part of the detailed design phase, the applicant has provided a maximum extent basis for the visual impact assessment. This is considered to be a reasonable approach.

Within East Lindsey, segments ECC1 to ECC8 of the onshore works (figure 1.1) are relevant to the assessment. The elements of work proposed include the landfall area at ECC1 and cable route south. Both locations are expected to have impacts from the installation of the development but once complete the quantum of these impacts is reduced due to the below ground level nature of the cable works.



Figure 1.1 : Extract from Environmental Statement Onshore Order Limits Plan – Figure 3.3

Planning Policy

Whilst the Applicant is seeking permission for the proposals directly from the Secretary of State for a DCO under section 37 of the Planning Act 2008, there are still a number of local and national planning policies which are considered relevant and should be taken account of as part of the development process. These plans and local knowledge have been formed over several years and have come from a significant evidence base.

The Local Plan for East Lindsey comprises the Core Strategy 2018 and the Settlement Proposals Document 2018. The relevant objectives and policies within the East Lindsey Local Plan are:

- Vision and Objective 1 - Seeks a network of thriving, safer and healthy sustainable communities, where people can enjoy a high quality of life and an increased sense of well-being and where new development simultaneously addresses the needs of the economy, communities and the environment.
- Vision and Objective 3 - Seeks a growing and diversified economy that not only builds on and extends the important agriculture and tourism base but supports the creation of all types of employment.
- Vision and Objective 6 - Seeks a commitment to tackling the causes and effects of global climate change through local action.
- Vision and Objectives Para 1.11 - Seeks to achieve the vision of a commitment to tackling the causes and effects of global climate change through local action, Support is provided for new development to ensure it does not cause flood risk to existing properties and encourage new development to reduce flood risk to existing properties.
- Vision and Objectives Para 1.11 - Supports the use of renewable energy but balanced against the protection of the District's distinct landscapes.
- Strategic policy 10 (SP10) – Design - Development around water sources will only be supported if it contains adequate protection preventing pollution from entering into the water source.
- Strategic policy 11 (SP11) – Historic Environment - The Council will support proposals that secure the continued protection and enhancement of heritage assets in East Lindsey, contribute to the wider vitality and regeneration of the areas in which they are located and reinforce a strong sense of place.
- Strategic policy 13 (SP13) – Inland Employment - The Council will support growth and diversification of the local economy by: Strengthening the rural economy by supporting in the large, medium and small villages: Development where it can provide local employment.
- Strategic policy 16 (SP16) – Inland Flood Risk - The Council will support development that demonstrates an integrated approach to sustainable drainage that has positive gains to the natural environment. The Council will

support development for business, leisure and commercial uses in areas of inland flood risk where it can be demonstrated that accommodating the development on a sequentially safer site would undermine the overall commercial integrity of the existing area. Such developments must incorporate flood mitigation measures in their design.

- Strategic policy 17 (SP17) – Coastal East Lindsey - All relevant development will need to provide adequate flood mitigation. The council will support improvements to flood defences, infrastructure associated with emergency planning and the development and replacement community buildings. Development must also demonstrate that it satisfies the Sequential and Exception Test and will need to provide adequate flood mitigation.
- Strategic policy 21 (SP21) – Coastal Employment - The Council will support the rural coastal economy by supporting development in the large, medium and small villages where it: Provides local employment and help support local services.
- Strategic policy 23 (SP23) – Landscape - The District's landscapes will be protected, enhanced, used and managed to provide an attractive and healthy working and living environment. Development will be guided by the District's Landscape Character Assessment and landscapes defined as highly sensitive will be afforded the greatest protection.
- Strategic Policy 24 (SP24) - Biodiversity and Geodiversity - Development proposals should seek to protect and enhance the biodiversity and geodiversity value of land and buildings and minimise fragmentation and maximise opportunities for connection between natural habitats.
- Strategic Policy 25 (SP25) – Green Infrastructure - In the case of sites not identified on the Inset Maps, development will only be permitted on open spaces provided unacceptable harm will not be caused to their appearance, character or role.
- Strategic Policy 27 (SP27) – Renewable and Low Carbon Energy Large-scale renewable and low carbon energy development, development for the transmission and interconnection of electricity, and infrastructure required to support such development, will be supported where their individual or cumulative impact is, when weighed against the benefits, considered to be acceptable in relation to:
 - o residential amenity;
 - o surrounding landscape, townscape and historic landscape character, and visual qualities;
 - o the significance (including the setting) of a historic garden, park, battlefield, building, conservation area, archaeological site or other heritage asset;
 - o sites or features of biodiversity or geodiversity importance, or protected species;
 - o the local economy;

- highway safety; and
- water environment and water quality
- Strategic Policy 28 (SP28) – Infrastructure and S106 Obligations - Infrastructure schemes will be supported provided they are essential in the national interest; contribute to sustainable development, and respect the distinctive character of the district.

The NPPF was originally implemented in 2012, with the most recent revision being 2019 and an update in 2023. The NPPF sets out the UK Government's planning policies for England and how these are expected to be applied.

The NPPF does not contain specific policies for NSIPs (for which particular considerations apply, determined in accordance with the decision-making framework set out in the Planning Act 2008 and relevant NPSs) but may be considered as a relevant consideration as below.

- Paragraph 123 - Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land⁴⁷.

Footnote 49 of the NPPF *states*:

Except where this would conflict with other policies in this Framework, including causing harm to designated sites of importance for biodiversity.

- Paragraph 124 - Planning policies and decisions should:
 - encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside;
 - recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production;
 - give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land;
 - promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively (for example converting space above shops, and building on or above service yards, car parks, lock-ups and railway infrastructure); and
 - support opportunities to use the airspace above existing residential and commercial premises for new homes. In particular, they should

allow upward extensions where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene, is well-designed (including complying with any local design policies and standards), and can maintain safe access and egress for occupiers.

- Paragraph 157 - The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.
- Paragraph 165 - Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.
- Paragraph 180 - Planning policies and decisions should contribute to and enhance the natural and local environment by:
 - o protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
 - o recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
 - o maintaining the character of the undeveloped coast, while improving public access to it where appropriate;
 - o minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
 - o preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and;
 - o remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

Representations and Assessment

Each Local Planning Authority were a consultee as part of duty to consult (section 42 of the Planning Act 2008). Responses were provided internally from department officers, parish councils, Town Councils, and Councillors. All consultees have the ability to respond directly to the applicant as part of this process and examination of the full submission for development order consent.

Our response at this stage is focused on landscape impacts due to changes in the scheme and the main impact of the proposal on communities within the district. As the Council do not have a Landscape Officer, an external company was sought to respond on behalf of the Council (Terra Loci) who are Landscape Architects and specialise in Landscape Planning. They have provided scoping and viewpoint comments as well as a final response reviewing the Landscape and Visual Impact Assessment as submitted.

Our response to the relevant sections of the submission including comments from consultees where relevant is summarised as follows:

Air Quality

East Lindsey Council do not have an in-house air quality consultant, however having reviewed the information put forward the Council would expect the following to be complied with during the project installation phase:

- Burning of waste should be avoided. Any burning of waste deemed strictly necessary should be undertaken in accordance with the relevant waste management exemption issued the Environment Agency, and consideration should be given to the timing of such burning, and the prevailing weather conditions to impact emissions to air and nuisance to offsite receptor's; and
- Soil stockpiles should be sealed to reduced fugitive dust emissions.

Noise and Vibration

Having reviewed the information put forward we have the below comments to offer:

- The Council should be provided with contact details in the event of complaints to assist in the management of complaints and concerns.
- The Council and all relevant noise sensitive receptors in the immediate area to any proposed works are to be informed ahead of these works should they occur outside of normal working hours.
- The Council and all relevant vibration sensitive receptions in the immediate area to any proposed works are to be informed ahead of these works. Additionally appropriate monitoring equipment is to be used in the vicinity of works in order to assess the level of vibration propagating from the works site.

Landscape and Visual Assessment

Chapter 28 – Landscape and Visual Impact assessment has been appraised against the scoping responses, included below for reference, dated June 2023, September 2023 and November 2023.

Table 3.1 within document reference EN010130-000377-6.1.28 Chapter 28 Landscape and Visual Impact Assessment outlines consultation responses received of relevance to the Landscape and Visual chapter and sets out how they have been responded to within the chapter.

The table below is an excerpt from Table 3.1 and outlines the relevant consultation responses and how they are responded to within the LVIA. The Final Response column details any further response of comment relevant following receipt of EN010130-000377-6.1.28 Chapter 28 Landscape and Visual Impact Assessment. Previous consultation responses, as referenced below, are considered to have been appropriately responded to.

Date and consultation phase/ type	Consultation and key issues raised	Section where comment addressed	Final response June 2024
Scoping Opinion ¹ Comments			
Phase 2 Consultation (Section 42 consultation on the PEIR) Comments			
21st July 2023 Section 42 Comments	<i>"The EIA should include a full assessment of the potential impacts of the development on local landscape character using landscape assessment methodologies. The use of Landscape Character Assessment (LCA), based on the good practice guidelines produced jointly by the Landscape Institute and Institute of Environmental Assessment in 2013 is encouraged."</i>	The assessment of effects on landscape character is presented at section 7.2 with reference to the relevant LCAs for the LVIA study area.	No further comment.
21st July 2023 Section 42 Comments	<i>"The EIA should include assessments of visual effects on the surrounding area and landscape together with any physical effects of the development, such as changes in topography and loss or disturbance of vegetation. "</i>	The assessment of effects on visual amenity is presented at section 7.3. The assessment of effects on physical elements is presented at section 7.	No further comment.
21st July 2023 Section 42 Comments	<i>"The Environmental Impact Assessment process should detail the measures to be taken to</i>	Information on the design of the OnSS is presented in the Design Approach Document	No further comment.

	<i>ensure the building design will be of a high standard, as well as detail of layout alternatives together with justification of the selected option in terms of landscape impact and benefit. "</i>	(document reference 8.18) and the Design Principles Statement (document reference 8.19). Detailed design will be developed further post DCO Application. Information of alternative sites is presented at Chapter 4 (document reference 6.1.4).	
21st July 2023 Section 42 Comments	<i>'The assessment should also include the cumulative effect of the development with other relevant existing or proposed developments in the area. A list of proposed cumulative schemes should be submitted and approved prior to the assessment being undertaken. Cumulative impact assessment should include other proposals currently at Scoping stage and onwards.'</i>	The cumulative assessment is presented in section 9 and includes the National Grid Onshore Substation (NGSS) which is at the pre-application stage, despite the limited information available.	No further comment.
21st July 2023 Section 42 Comments	<i>'Operational effects arising from the Onshore ECC and export cable landfall should be scoped into the assessment as there is potential for a loss of vegetation and alteration of the baseline landscape and visual resource which will be longer lasting than the construction phase and the long-term effectiveness of remediation and mitigation proposals should be considered.'</i>	The residual effects arising from the construction of the landfall, onshore ECC and 400kV cable corridor will be very limited as assessed in sections 7 and 7.3. The residual effects extending from the construction phase into the operational phase are also considered in these sections.	No further comment.

<p>24th November 2023 Section 42 Comments</p>	<p><i>“The changes to the scheme have been reviewed by external consultants Terra Loci. Firstly, we would like to reiterate some comments previously made following various ETG meetings:</i></p> <ul style="list-style-type: none"> <i>- New substation size and proposed mitigation planting - Figure 28.15 - Surfleet Marsh OnSS Indicative Layout and Mitigation Planting shows general areas and locations for mitigation planting but does not indicate intended height or types of mitigation planting proposed, this should be clarified during assessment. Where off site mitigation planting / hedgerow is shown as under consideration, assessment of effects should be undertaken for scenarios with and without this planting to indicate the effectiveness and potential requirement for this mitigation planting.</i> <i>- Updated viewpoint locations - The additional viewpoint locations circulated on the 06/11/23 are more comprehensive and take on board previous comments, these are appropriate to assess the potential for visual impacts. Approach to assessment considering a Project Design Envelope (PDE) based on the AIS footprint and GIS height with visuals showing</i> 	<p>Information on the mitigation planting is presented in the OLEMS (document reference 8.10). This specifies whips would be planted at approximately 0.8m in height and that the anticipated growth of trees would be between 0.4m and 0.5m per annum to give an approximate height range of 6.8 to 8.3m after 15 years of growth. While the OLEMS (document reference 8.10) presents some suggested species, the final planting palette will be developed in the Landscape and Ecology Mitigation Strategy (LEMS) post consent. On-site and off-site mitigation planting is photo-montaged in the visualisations for the representative viewpoints and the assessment in the LVIA covers scenarios in which the mitigation planting is and is not taken into account. Noted regarding the appropriateness of the updated viewpoint list for the LVIA. Noted regarding the appropriateness of the maximum design scenario based on the Air Insulated Switchgear (AIS) footprint and the gas Insulated Switchgear (GIS) height – the visualisations in Figures 28.17 to 28.27</p>	<p>This clarification of mitigation planting measures, in combination with year 15 visualisations is helpful to understand the potential for soft landscape measures to mitigate for effects. It is noted that Figure 28.15 refers to ‘Maximum Extents’ when referring to both on and off-site planting around the OnSS. It is noted that should the extent of mitigation planting be less than this maximum extent, then its function to effectively ‘reduce’ long term operation effects would be less than stated within the residual effects section of the assessment.</p>
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	<p><i>indicative models of both technologies with the PDE. This proposed PDE appears to consider the 'worst case' scenario from each technology and is an appropriate basis for assessment of potential landscape and visual impacts. The technology modelled in each visual should be clearly indicated."</i></p>	<p>(document reference 6.2.28.17 to 6.2.28.27) are clearly labelled to ensure the distinction is readily apparent.</p>	
<p>November 2023 Environmental Topic Group Meeting</p>	<p><i>Representatives of LCC and the LPAs agreed to the LVIA using a 'Maximum Design Envelope' (MDE) based on the AIS OnSS footprint and GIS OnSS height are used.</i></p>	<p>A description of the MDE is presented at section 5 and visualisations illustrating the MDE are shown in Figures 28.17 to 28.27 (document reference 6.2.28.17 to 6.2.28.27).</p>	<p>No further comment.</p>

<p>22nd September 2023 Environmental Topic Group Meeting</p>	<p><i>Representatives from NE, LCC and S+ELCP agreed that the assessment of effects on the Lincolnshire Wolds AONB could be scoped out owing to the removal of Lincolnshire Node as a potential location for the OnSS.</i></p>	<p>An overview of landscape designations and their relevance to this assessment is set out at section 4.</p>	<p>No further comment.</p>
<p>22nd September 2023 Environmental Topic Group Meeting</p>	<p><i>The representative landscape architect for S+ELCP suggested ten viewpoints would be a more appropriate number than the original five viewpoints and suggested inclusion of viewpoints representing the nearby settlements of Surfleet Seas End and Gosberton.</i></p>	<p>An additional five viewpoints have been included to bring the total number of viewpoints to ten. These are assessed at section 7.3. A representative viewpoint is included from Surfleet Seas End. Visibility from Gosberton was so limited that a viewpoint was not included from this location.</p>	<p>No further comment.</p>

<p>22nd September 2023 Environmental Topic Group Meeting</p>	<p><i>The representative landscape architect for LLC agreed more viewpoints would be beneficial to the assessment and requested more middle range viewpoints out to 2km from the OnSS be included.</i></p>	<p>Site work was undertaken by the Project's landscape architect accompanied by LLCs representative landscape architect with a range of potential additional middle range viewpoints visited and photographed. These are assessed at section 7.3.</p>	<p>No further comment.</p>
<p>22nd September 2023 Environmental Topic Group Meeting</p>	<p><i>Representatives from NE, LCC and S+ELCP agreed that both AIS and GIS should be shown in visualisations to illustrate the two different technologies. Given the increase in footprint of the AIS from PEIR, the Project noted that the GIS would no longer necessarily provide a worst case scenario for all receptors</i></p>	<p>The visualisations showing models of both the AIS and GIS technologies are presented in document reference 6.1.28.1.</p>	<p>No further comment.</p>

<p>20th November 2023 Environmental Topic Group Meeting</p>	<p><i>Representatives of LCC and the Local Planning Authorities (LPAs) agreed to the inclusion of the five additional representative viewpoints.</i></p>	<p>A detailed assessment of the effects on all 11 of the representative viewpoints is presented at section 7.3</p>	<p>No further comment.</p>
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Other Matters

Lincolnshire County Council act as Highways Authority and Lead Local Flood Authority and will comment directly on the proposed development, as may the Drainage Board and the Environment Agency. Additionally, there are other stakeholders such as the Wildlife Trust and Natural England who will provide comments directly associated with ecological impacts.

Concluding Remarks

Whilst we appreciate many stakeholders will comment directly to the Applicant on the project, we wanted to provide an updated response based on the submitted application with confirmed onshore cable route and location of the substation.

Following the phase 2 consultation on the Preliminary Environmental Information Report in June 2023 and autumn consultation of November 2023 the applicant has now submitted an application for Development Consent Order for examination. Stakeholders have been provided with several opportunities to put forward comments on methodologies and design prior to the final submission which has taken consideration of comments put forward. The topic areas of this response are considered to be appropriately managed, with any relevant comments brought forward for further consideration.

This response has focused on the Landscape and Visual Impact Assessment and final comments. This advice is based upon the information available at this time. Please note that the advice is given without prejudice to any future comments made by the Local Planning Authority upon the receipt of further information,

If you have any queries, please do not hesitate to contact me on the details provided. We look forward to being involved again in the next stage of the process.

Yours sincerely,

Sam Dewar MRTPI
Consultant Planning Officer