

PLANNING ACT 2008 (AS AMENDED)

INFRASTRUCTURE PLANNING (EXAMINATION PROCEDURE) RULES 2010 (AS AMENDED)

PLANNING INSPECTORATE REF:- EN020019

SUBJECT: TRITON KNOLL ELECTRICAL SYSTEM

APPLICANT: TRITON KNOLL OFFSHORE WIND FARM LTD

LOCATION: ANDERBY CREEK TO BICKER FEN

LOCAL IMPACT REPORT

INTERESTED PARTY: EAST LINDSEY DISTRICT COUNCIL (ELDC)
TEDDER HALL
MANBY PARK
MANBY, LOUTH
LINCOLNSHIRE LN11 8UP

OUR REF: TRIT-0009

DATE: 08 SEPTEMBER 2015

1.0 INTRODUCTION

- 1.1 Following the preliminary meeting held in Skegness on 3rd September 2015, the Examining Authority wrote to East Lindsey District Council (ELDC) setting out the procedural decisions made in respect of the forthcoming Inquiry into the application.
- 1.2 Set out below is the Local Impact Report (LIR) for East Lindsey District Council. Where appropriate, cross reference is made to the Statement of Common Ground (SoCG) that is in the process of being agreed between the applicants and ELDC.
- 1.3 The sole definition of an LIR is given in s 60(3) of the Planning Act as ‘a report in writing giving details of the likely impact of the proposed development on the authority’s area (or any part of that area)’. The advice note pertaining to Local Impact Reports states that the ‘*content of the LIR is a matter for the local authority concerned as long as it falls within this statutory definition*’. The topics suggested that may be helpful are set out below. The report will not slavishly follow that list, but has used it as a (very) helpful template.
- a) Site description and surroundings/location
 - b) Details of the proposal
 - c) Relevant planning history and any issues arising
 - d) Relevant development plan policies, supplementary planning guidance or documents, development briefs or approved master-plans and an appraisal of their relationship and relevance to the proposals
 - e) Relevant development proposals under consideration or granted permission but not commenced or completed
 - f) Local area characteristics such as urban and landscape qualities and nature conservation sites
 - g) Local transport patterns and issues
 - h) Site and area constraints
 - i) Designated sites
 - j) Socio-economic and community matters
 - k) Consideration of the impact of the proposed provisions and requirements within the draft Order (ie the scheme) in respect of all of the above

l) Development consent obligations and their impact on the local authority's area.

2.0 BACKGROUND – 2012 HEARING – OFF AND ON SHORE DEVELOPMENT

2.1 On 11th July 2013 the Secretary of State gave consent for the off shore array associated with the current application. At the hearing East Lindsey expressed strong representations based on the lack of information regarding on-shore ramifications.

2.2 Effectively, at the time, both the SoCG and the written statement acknowledged that, in isolation, the off-shore elements of the proposal, based upon the evidence put before the Panel, was not considered to be harmful to the environment or population of East Lindsey.

2.3 Despite that however East Lindsey District Council (ELDC) expressed concerns regarding the inevitable on-shore ramifications of the off-shore development.

2.4 This hearing relates to the electrical system associated with the consented off shore array.

3.0 SITE DESCRIPTION

3.1 Attached as Appendix 1 is an extract from the Council's Landscape Character Assessment. It would take a volume on its own to describe 'the site' for this application. For a general overview of landscape description and character, we rely on that document. However, I will go into a little more detail in respect of the landfall site at Anderby Creek, and the Intermediate Compound site at Marsh Lane Orby

Anderby Creek

3.2 Anderby Creek has been described as the land that time forgot, being a magnet for those holiday makers who crave peace and quiet. It has been recognised as such for many years. In "The King's England" series of books (dated 1949), Anderby Creek is referred to:- "This is a fine place to laze in upon a summer's day - a restful, unspoiled

little seaside resort with a fine stretch of golden sands backed by great dunes." Not much has changed in the last 66 years and this encapsulates the character of this part of the unspoilt, wild, coast.

- 3.3 The East Lindsey Landscape Character Assessment shows the Anderby Creek site to lie within character type K1 "Tetney to Gibraltar Point Naturalistic Coast".

The area stretches from Tetney High Sands, just south of Cleethorpes to Gibraltar Point just north of the Wash. This area is underlain by Cretaceous chalk which in turn is overlain by differentiated glacial, marine and estuary deposits of sands gravels, silts and clays. In the north the shallow seaward gradient has led to accretion of fluvial and marine deposits forming a wide strip of saltmarsh, mud flats and sand flats between the land and the sea, backed by old storm sand dune systems.

Further south the coastline is subject to erosion, and beach nourishment is used to maintain the narrow sandy beaches found between Mablethorpe and Skegness. This tidal landscape is flat, open and vast with big skies and views that extend out to sea. These ever changing views are dependant (sic) upon the tides and the weather. Views inland are enclosed by sand dunes and man-made sea defences in the form of sea banks and concrete embankments alongside the coastal resorts. This is a simple, peaceful and remote landscape, made up of natural coastal saltmarsh, mud flats and sand banks with long sandy beaches. At the southern-most tip is Gibraltar Point which has sand dunes and saltmarsh with freshwater and saltwater lakes and marshes. Saltmarsh vegetation creates a mosaic in the mudflats of different herbaceous species including the distinctive samphire beds, sea lavender, plantains and various sedges and rushes that are interlaced with a dendritic pattern of winding creeks. Sand dunes and sea embankments have been colonised largely by marram grasses, but in other parts by scrub vegetation including sea buckthorn. Herbaceous vegetation with a rich flora of wildflowers can also be found in the grasslands on the older sand dunes. This range of coastal habitats are particularly important for providing food for many resident and migrating wildfowl and wading birds. Seals also pup

*on the beaches from October to December and attract thousands of visitors. Many important sites along this coastline are protected by international, national and local nature conservation designations **including Sites of Special Scientific Interest**, Special Areas of Conservation, Special Protection Areas, and a Ramsar site. Three notable important national nature reserves are; Gibraltar Point, Saltfleetby and Theddlethorpe Dunes and Donna Nook. **A submerged oak forest near Anderby Creek is visible during very low tides.** The landscape is mostly natural, with some minor intrusions from occasional Ministry of Defence(MOD) structures including watchtowers and warning signs in the MOD Danger Zone at Donna Nook. There are some strong urban influences near the coastal resorts including views to the large rollercoaster at Ingoldmells and to an offshore wind farm east of Skegness outside of the character area. Visible heritage features include WWII pill boxes, gun emplacements, and anti-tank blocks, partially buried remains of boat and shipwrecks, causeways and havens, wooden stakes and a drowned forest visible in areas at exceptionally low tides. **There are no official rights of way or roads, resulting in a largely desolate naturalistic landscape, but people have general access to nature reserves and along the shoreline. In some areas the beaches and shoreline are used by occasional fishermen, dog walkers, nature lovers and horse riders. The beaches between Mablethorpe and Skegness are much busier with tourists during the summer season. This is a distinctive naturalistic coastal landscape with a variety of views influenced by changing tides, light, and weather conditions.***

I have highlighted a number of sentences within this quote which relate specifically to the Anderby Creek Area.

Marsh Lane Orby

- 3.4 The site for the Intermediate compound lies on the south side of Marsh Lane which
- 3.5 The East Lindsey Landscape Character Assessment shows the Marsh Lane Orby area to lie within character type J1 “Tetney Lock to Skegness Coastal Outmarsh” which...

*“...runs down the eastern side of East Lindsey District forming the hinterland of Donna Nook to Gibraltar Point Naturalistic Coast . This is a mainly flat and drained agricultural coastal plain. **Some views are open and expansive with big skies that meet level horizons.** Others are more enclosed by landform, embankments, sand dunes, sea defences and trees associated with settlements or shelter belts around built elements. **Views include those to the Wolds Area of Outstanding Natural Beauty (AONB)** and to wind farms at Conisholme and offshore from Skegness. This is a mostly simple and rural landscape with intensive agricultural fields.*

*There is a predominantly straight and rectilinear pattern of raised roads and dykes in the northern and middle parts of this character area. This pattern is emphasised by rows of telegraph poles and wires. It becomes more irregular and winding in the southern part of the character area. The land use is mainly intensive arable farming with crops of oil seed rape, wheat, barley, legumes and brassicas. Some pasture is found around villages and along watercourses, often in smaller fields with hedges. Several fields with medieval ridge and furrow are scattered throughout the area. There has been some farm diversification which includes several plant nurseries, fishing lakes, and small caravan and chalet parks. Mature trees are mainly found as shelter and amenity planting in and around settlements, farmsteads and dwellings. **There is limited woodland, and hedgerow cover is also sparse.** There are some intact hedgerows, particularly around the smaller scale fields of pasture associated with settlements, and also alongside trees around fishing ponds. **There are also some wetland reed bed systems at the old ‘borrow pits’ around Anderby Creek which are Sites of Special Scientific Interest.** Most dykes are kept clear but associated wetland vegetation survives in some smaller ditches. Settlement throughout most of the landscape character area is sparse with widely scattered isolated farmsteads and dwellings. Some lines of older linear and nucleated settlements are associated with the A1031 and some with roads linking to the Wolds. Stone church towers stand tall in tree sheltered villages and are a common landmark feature. Some have distinctive leaning towers and several churches are located outside of existing*

settlements. The coastal resorts have been developed from earlier villages since Victorian times.

*There are many historic references in the area. Those which are particularly visible in the landscape include saltern mounds, church towers, mud and stud buildings at North Somercotes, medieval ridge and furrows, Gayton Engine Pumping Station, old red brick field sheds, gun emplacements and pill boxes from WWII, medieval moated sites, **relict sea banks**, windmills, and black and white striped traditional road signage. **The Roman Bank and water filled sea bank ‘borrow pits’ are also a lost reminder of past inundations from the sea where the clay dug from the pits was used to repair the sea banks.** There are many raised minor roads which generally run from the Wolds towards the east coast with links across between them. Neat mown roadside verges, particularly around settlements, are a distinctive feature as they are across the whole of East Lindsey. The number of public rights of way is limited and intermittent and many local public footpaths only link to local settlements. **This is an intact rural landscape with a distinctive character** created in part by the extensive pattern of drainage alongside other characteristic features.*

Again, I have highlighted a number of sentences within this quote which relate specifically to the Orby and the Anderby Creek areas

Relevant planning history

- 3.6 Planning history relevant to the on-shore proposal is difficult to address, as the ‘site is so large and extends through approximately half the district. There are no specific applications that ‘interfere’ with the route of the proposal within East Lindsey.
- 3.7 ELDC has a particular concern regarding the potential for the industrialisation of what is essentially a rural landscape. Whilst one expects to see agricultural buildings of various types and sizes in the area, one does not expect to see more industrial type infrastructure such as the IEC which can be at odds with the prevailing character.

Policy Framework

3.10 The Development Plan comprises the **East Lindsey Local Plan Alteration 1999**. The Government's National Planning Policy Framework is a material consideration alongside the suite of Planning Guidance. The following policies are considered relevant to the consideration of this application:

a) East Lindsey Local Plan Alteration 1999

Policy A4 – Protection of General Amenities

Policy A5 - Quality and Design of Development

b) Emerging Core Strategy

c) National Planning Policy Framework

d) Planning Guidance

e) National Policy Statement EN1 and

f) National Policy Statement EN3

The Statement of Common Ground has the policies of the development plan included within it. As such, this section will deal with the consistency of those policies with the National Policy Statements and the NPPF. There are no saved Local Plan policies specifically relating to renewable energy.

3.11 The Local Plan's policies relating to the general amenities of people living and working in the area (policy A4) and area character (policy A5) are still relevant and up to date. They are long standing and have been assessed as being consistent with national policy. Paragraph 215 of the NPPF applies (my emphasis);

*In other cases and following this 12-month period, **due weight** should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).*

The **due weight** should be full weight, as the policies themselves are wholly in line with the NPPF.

- 3.12 Local Plan Policy A4 relates to the protection of general amenities. One of the parameters that it states will be examined (paragraph 2.79 of the Local Plan) relates to ‘harm to the distinctive character of the area’. Policy A4 is in direct conformity with Paragraph 109 of the NPPF which states inter alia that the planning system should contribute and enhance the natural and local environment by...*‘protecting and enhancing valued landscapes’*....
- 3.13 Local Plan Policy A5 relates to the quality and design of development. The ‘Fens and Marshes’ area is specifically drawn attention to in paragraphs 2.83-2.89 and 2.92-2.96 of the Local Plan, and both describes and explains the marsh and fen character. Again, Policy A5 is in direct conformity with Paragraph 109 of the NPPF which states inter alia that the planning system should contribute and enhance the natural and local environment by...*‘protecting and enhancing valued landscapes’*....
- 3.14 The emerging Local Plan Core Strategy has been approved for the purposes of development management. That policies are wholly in line with the NPPF although have not yet been the subject of public consultation. Draft Policies, of relevance to this Inquiry, included in the revised draft core strategy are – Landscape (SP15), Heritage (SP7) and Renewable Energy (SP19).

National

- 3.15 The overall thrust of the National Planning Policy Framework (NPPF) is the presumption in favour of sustainable development. In relation to renewable energy developments a number of paragraphs are relevant. I paraphrase the pertinent elements below:-
- para. 93 - Planning is important in supporting the delivery of renewable energy and low carbon technology.

- para. 97 – Local Authorities need to have a positive strategy to promote energy from renewable and low carbon sources. Further, they need to design policies to maximise renewable and low carbon energy developments **while ensuring that adverse effects are addressed satisfactorily including cumulative landscape and visual impacts** (my emphasis).

- para. 98 advises that Local Planning Authorities (LPA's) should "approve the application if its impacts are (or can be made) acceptable". There is an important footnote to this paragraph which restates the phrase 'unless material considerations indicate otherwise', from Section 38(6) of the Planning and Compulsory Purchase Act 2004.

- 3.16 National Policies EN1 and EN3 also have relevance. (NB The footnote to EN3 Paragraph 2.6.3 states - *For clarification, any reference within this NPS to offshore wind farm infrastructure includes all the elements which may be part of an application, including wind turbines, all types of foundations, **onshore** and offshore **substations**, anemometry masts, accommodation platforms and **cabling**.*)

Other relevant local guidance

Country Park

- 3.18 The area between Mablethorpe/Sutton on Sea/Sandilands and Chapel St Leonards is being designated as a Country Park. It is a County Council Initiative, supported by the District Council. The stated vision and aims of the Coastal Country Park (set out in the 2009-2012 Strategic Business Plan) are;

The vision:

A dynamic and extensive Coastal Country Park, along the Lincolnshire Coast, between Sandilands and Chapel St. Leonards, providing high quality facilities for people and better protection for wildlife.

The Coastal Country Park aims to facilitate

- *A more sustainable, varied and attractive coastal landscape, rich in wildlife and attractive to visitors and residents in every season*
- *A new tourism destination with high quality accessible natural green space and opportunities to experience the area's cultural and natural heritage*
- *An associated visitor or heritage centre, observatories and interpretation points*
- *A vibrant, diverse and sustainable local community.*

The supporting objectives are to help protect and create;

- A varied and attractive coastal landscape;
- Enhanced extensive and linked wildlife areas;
- An attractive area for visitors and residents in every season;
- A new tourism destination and high quality accessible natural greenspace;
- Opportunities to experience the area's cultural, farming, natural and historical heritage;
- A visitor heritage centre, field observation points all linked to the internet;
- Improved parking and recreational facilities;
- New economic opportunities for business and farm diversification;
- An improved quality of life for local communities

The establishment of the Coastal Country Park is a long term project that will take many years to bring to fruition.

Grazing Marshes Project

3.22 In 2003 the Lincolnshire Coastal Grazing Marshes Partnership was formed. The priority target areas were revised between 2007 and November 2008. The Lincolnshire Coastal Grazing Marshes Landscape Conservation Strategy states that the Coastal Grazing Marsh is a Priority Habitat in the UK Biodiversity Action Plan, and as a Biodiversity Enhancement Area in the East Midlands Regional Spatial Strategy and the East Midlands Regional Biodiversity Strategy. The nature

conservation interest, coupled with the historic interest of the area, means the grazing marshes area has also considerable green tourism potential (e.g. Saltfleetby-Theddlethorpe Dunes National Nature Reserve is one of the most visited tourist attractions in Lincolnshire and in 2002 received over 290,000 visitors, estimated contribution to the local economy being over £8M and supporting 200 Full Time Equivalent jobs).

The Lincolnshire Grazing Marshes Project has attracted Heritage Lottery Funding and currently a Landscape Conservation Plan is being developed to fully engage the local communities and expands upon the Landscape Conservation Strategy that set out the programme of developing the project. A primary tool in implementing the project is the use of High Level Stewardship to promote the retention and establishment of grazing marshes in the targeted areas.

- 3.23 The Coastal Country Park is also seen as complementary to the Coastal Grazing Marshes Project in that it would promote the recreation of pastureland and encourage agricultural practices beneficial to biodiversity. Within these areas are sites of national importance (SSSI's) and local importance.
- 3.24 It is considered that these two initiatives are important to the area as a whole.

Other topics relevant to the District

Viking Link

- 3.25 East Lindsey District Council has been made aware during the earlier part of 2015 that there is to be an application for an interconnector between Denmark and the UK known as the Viking Link. Whilst we have heard from the company at the PIM that there will not be a planning application made before the determination of this DCO application, all parties are well aware that the landfall proposed is likely to be at or near to Anderby Creek and the grid connection will be at Bicker Fen (consent having been granted). That means that the cable route for the Viking Link is highly likely to follow the same cable route as that for Triton Knoll. The constraints acting upon each company will be the same and as such the analysis and conclusions are likely to be the same.

3.26 Whilst we accept that the 2 schemes are not connected, the impression that will be given to the man in the street if these 2 schemes go ahead perhaps only weeks or months apart, using the same route, will be that the right hand does not know what the left hand is doing. It will be like the many tales we have seen nationwide regarding roads that are dug up time after time by different utility companies. The question will be asked, why don't they use the same hole? There will be a cumulative impact on both the environment and the agricultural industry. In the submissions to be heard by the panel, we ask that considerable pressure be put on both the applicants and those responsible for the Viking Link to work together to save both time, money and in this submission, face. We wait to see the responses to the Panel's questions.

Sibsey Northlands Lancaster Memorial.

3.27 A matter that has emerged relatively recently regarding the cable route is its proximity to the Sibsey Northlands Lancaster Memorial. The memorial relates to a crashed Lancaster bomber in WWII where lives were lost and not all recovered, The site is therefore seen as a 'war grave'. The proposed route does not pass through the memorial field, but the circumstances of the crash are not fully known at present and debris (and perhaps even ordnance) may have spread beyond the immediate crash site. ELDC wish assurance and guarantees that any works in the vicinity of the crash site will be undertaken with the utmost care and respect. In particular the area should be hand worked by metal detectors prior to any works.

Tourism

3.28 The importance of tourism to the district has been set out above. However it merits a small mention here, setting out those elements which have a bearing on the scheme;

a) Country Park/Grazing Marsh Project

East Lindsey need the Panel to be content that the proposals do not prejudice the aims, objectives or attractiveness to contributors to or visitors of the schemes.

b) Anderby Creek

East Lindsey need the Panel to be content that the work timescales envisaged by the scheme do not have a detrimental impact upon the attractiveness and economy of Anderby Creek.

c) Traffic getting to and from the coast.

Whilst there is a rail link to Skegness, by far the most used mode of transport to the coast is the private motor car. The roads carry the life blood of the coast – visitors. East Lindsey have been assured by the applicants that all crossings of roads by the cable route will be undertaken by means of directional drilling under the carriageways. Solely based on that assurance, the Council has not raised objection. However, East Lindsey need the Panel to be content that such an assurance is ‘watertight’ and that if not, the timing of such crossings takes place outside the holiday season. The last thing anyone wishes to see is traffic chaos on the routes into or out of the coastal resorts.

4.0 CONCLUSIONS

4.1 The preparation of this Local Impact Report has been made easier by the agreement to a statement of common ground. Where there is agreement, there is seen as no need to be repetitive. As such we have concentrated on specific impacts that can be identified over which we raise concerns.

4.2 ELDC will be producing a written statement which will examine in more detail four issues only

a) Landscape impact (including background to site selection)

b) Tourism impact

c) Project specific impact

i) Coastal grazing marsh project

ii) Country Park

d) Sibsey Northside Memorial