

## BABERGH DISTRICT COUNCIL and MID SUFFOLK DISTRICT COUNCIL

<b>From: Corporate Manager – Community Planning Heritage and Design</b>	<b>Report Number: R91</b>
<b>To: Strategy Committee Executive Committee</b>	<b>Date of Meeting: 4 February 2016 8 February 2016</b>

### EAST ANGLIA THREE WINDFARM: RESPONSE TO CONSULTATION

#### 1. Purpose of Report

- 1.1 This report sets out a proposed response to a formal consultation that is shortly to be undertaken by Scottish Power Renewables in relation to a project that would involve the development of an offshore windfarm with an approximate generating capacity of 1200MW off the coast of East Anglia.
- 1.2 Councillors are being requested to note the issues that will form the substance of the District Councils' response to the formal consultation once it begins.

#### 2. Recommendation

- 2.1 That, the comments set out in points (a) to (i) below be noted as forming the basis of the formal response that will be provided to the Planning Inspectorate in response to a consultation under Section 56 of the Planning Act, 2008 that:
- (a) Scottish Power Renewables works closely with the local authorities and other agencies to secure the maximum benefits for the local economy and a lasting legacy;
  - (b) minimum disruption is caused to the highway network and local residents;
  - (c) significant landscape mitigation be provided both on and off site to reduce the cumulative impact of the project upon the surrounding countryside and local residents;
  - (d) Scottish Power Renewables is urged to make use of the most beneficial technologies in the construction of the sub-station to ensure that its height is low as possible;
  - (e) the sub-station is designed and sited to minimise its impact upon designated heritage assets;
  - (f) the project minimises the risk of surface water flooding;
  - (g) appropriate mitigation be provided to reduce the impacts of noise, vibration and air pollution upon the environment;
  - (h) ecological interests are safeguarded during the construction and operation of the project; and
  - (i) the impact of the project upon public rights of way is minimised.
- 2.2 That, it be noted that the Strategic Director in consultation with the Chairmen and Vice Chairmen of the Executive and Strategy Committees, will continue to work in partnership with colleagues from other authorities to ensure that the project takes place in a manner that is beneficial to local residents.

- 2.3 That, the Strategic Director be authorised to submit the Local Impact Report and Statements of Common Ground to the Planning Inspectorate at the appropriate time as informed by the issues identified in this report.
- 2.4 That, the Strategic Director be authorised (if required) to secure a Planning Obligation under the Town and Country Planning Act, 1990 and/or Local Government Act, 1972 to mitigate the impact of the development upon the environment and local communities.
- The Committee is able to resolve this matter.

**3. Financial Implications**

- 3.1 There are no financial implications arising directly from the content of this report however if a Development Consent Order is granted the Mid Suffolk District Council will become responsible for the enforcement of planning conditions relating to the on-shore aspects of the proposal.

**4. Legal Implications**

- 4.1 There are no legal implications arising directly from the content of this report.

**5. Risk Management**

- 5.1 The Significant Business Risks Register identifies one area of concern that is pertinent to the content of this report: No.1 – Political and Managerial Leadership. The key risk is set out below:

Risk Description	Likelihood	Impact	Mitigation Measures
Failure to provide community leadership at a local level.	High	High	Seek to influence national decision making for the benefit of local communities.

**6. Consultations**

- 6.1 Specific consultation responsibilities are placed upon Scottish Power Renewables under the provisions of the Planning Act, 2008 to consult with local residents and other organisations as part of its Development Consent Order application.

**7. Equality Analysis**

- 7.1 There are no equality and diversity implications arising directly from the content of this report.

**8. Shared Service / Partnership Implications**

- 8.1 This report relates to a matter affecting Babergh and Mid Suffolk.

## **9. Links to Joint Strategic Plan**

- 9.1 Priority One of the Joint Strategic Plan seeks to provide the necessary leadership to deliver sustainable economic growth which is balanced against the need to protect and enhance the natural and built environment.

## **10. Key Information**

### *Background*

- 10.1 This report sets out the potential scope of the District Council's response to a forthcoming consultation on a Development Consent Order application submitted by Scottish Power Renewables for the development of an offshore windfarm with an approximate generating capacity of 1200MW off the coast of East Anglia.
- 10.2 The programme for consultation on the application has yet to be finalised by Scottish Power Renewables and it is possible that the period for providing a response will fall outside the cycle of committee meetings. Authority is therefore being sought from the Committee for the Strategic Director to respond to the consultation at the appropriate time following discussion with the Chairman and Vice Chairman to ensure that the views of the District Councils are taken into account. Failure to do so could result in the interests of local residents and businesses not being appropriately represented.
- 10.3 The current indication is that the formal consultation will begin in early March for a minimum of 28 days. Further clarification will be provided by Scottish Power Renewables in another few weeks and if any information is received Councillors will be advised accordingly at the meeting.

### *The Proposal*

- 10.4 The Planning Act, 2008 created a separate Development Consent Order regime for Nationally Significant Infrastructure Projects. The proposals being advanced by Scottish Power Renewables fall within this category and the application will ultimately be determined by the Secretary of State for Energy and Climate Change. The District Council does however retain a significant role in the consenting process and are statutory consultees.
- 10.5 The Development Consent Order application was submitted to the Planning Inspectorate on 18 November 2015 and confirmed as being acceptable on 15 December 2015. The application provides for the construction of 172 wind turbines and associated infrastructure to connect to the National Grid. The latter will involve making use of the cabling ducts already consented as part of the East Anglia ONE project in June 2014.
- 10.6 It is envisaged that the project could be constructed as a single phase of up to 1200 MW or in two phases, each comprising 600MW. At this stage two electrical connections are being considered which involve making use of either a High Voltage Direct Current (HVDC) or a Low Frequency Alternating Current (LFAC) solution. As a consequence the application provides for the construction of up to two new onshore substations near the existing Bramford sub-station but the ultimate size of these substations will be determined by the selected electrical solution.

- 10.7 The Environmental Statement submitted with the application has assessed the proposal on a 'worse case' basis. The design parameters for the substation are given as 25 metres high, 85 metres wide, and 116 metres long. Any associated external equipment would be no more than 12 metres high.
- 10.8 The offshore construction of the project may begin as early as 2020 (subject to approval) and is likely to take up to four years to complete. The onshore construction would also begin in 2020 and take one year to complete if built as a single phase, or two years if built in two phases.

#### *Main Issues*

- 10.9 The Planning Act, 2008 requires that nationally significant infrastructure projects be determined in accordance with the relevant National Policy Statement. In the context of the East Anglia ONE proposal the relevant documents are the Overarching National Policy Statement for Energy (EN-1), the National Policy Statement for Renewable Energy Infrastructure (EN-3) and the National Policy Statement for Electricity Networks Infrastructure (EN-5). It will therefore be against these policy statements that the application will be primarily assessed.
- *Socio Economic Considerations*
- 10.10 The project will help with the diversification of UK energy supplies and future security. It also has the potential to make a significant contribution to national renewable energy targets. Locally it has the potential to contribute to the Norfolk and Suffolk economy.
- 10.11 The response to the consultation will need to highlight the need for Scottish Power Renewables to work with the local authorities and other agencies to ensure that as many local people as possible secure employment during the construction and operational phases of the development and provide a commitment to work with local suppliers. The potential employment impacts will however need to be carefully managed to ensure that conflict does not occur with other projects and that there is a lasting legacy.
- 10.12 The impact of the project upon tourism and countryside recreation is likely to be minimal and of limited duration.
- *Traffic*
- 10.13 Suffolk County Council in its capacity as the local highway authority will assess the traffic and transport impacts associated with the construction and subsequent decommissioning of the project. The use of the cabling ducts that will be constructed as part of the East Anglia ONE project will markedly reduce the potential impacts however the response to the consultation will need to stress the importance of minimising disruption to the highway network and local residents, especially during the construction phase.

- *Landscape and Visual Impact*

10.14 The connection to the Bramford sub-station from the landfall site at Bawdsey is to be achieved via the use of cabling ducts. Any visual impact associated with the drawing of cables through the pre-constructed ducts is likely to be short-term and localised. The most significant impact is likely to arise from the construction of the sub-station.

10.15 The design parameters for the substation as already noted are given as 25 metres high, 85 metres wide, and 116 metres long. Any associated external equipment would be no more than 12 metres high. In view of the potential scale of the sub-station the consultation response will need to stress the importance of significant landscape mitigation being provided both on and off site to reduce the cumulative impact of the project in combination with the East Anglia ONE project upon the surrounding countryside and local residents. As Councillors will be aware there are extensive views towards the existing sub-station from various vantage points in both Districts.

10.16 National Planning Policy Statements EN1 and EN5 clearly require the promoters of nationally significant infrastructure projects to protect and enhance the environment. In relation to the sub-station there is a compelling case for the structures and associated infrastructure to be as low as possible. Scottish Power Renewables should therefore be urged to make use of the most beneficial technologies in the construction of the sub-station to achieve this objective.

- *Heritage Considerations*

10.17 The size of the proposed sub-station building is such that it has the potential to harm the setting of designated heritages assets (listed buildings) within the vicinity of the site. This could arise through the visual prominence of the structure and changes to the skyline or through increased activity, such as noise, night-time illumination and more general changes to the rural character of the area. The response to the consultation will need to consider the impact of the project upon designated heritage assets within the vicinity of the sub-station site to ensure that they are minimised.

10.18 The impact of the development upon archaeological remains will be limited and addressed through the construction of the East Anglia ONE project.

- *Flood Risk*

10.19 The proposed sub-station could lead to surface water drainage issues in the locality if sustainable drainage systems are not utilised in its construction. The response to the consultation will therefore need to highlight the need to avoid the possibility of surface water flooding within the locality as a result of the project.

- *Noise, Vibration and Air Quality*

10.20 The project will have some impact upon local residents during the construction period but this will be of a temporary nature. The main impact will be from the construction and operation of the sub-station. The response to the consultation will need to stress the importance of appropriate mitigation being provided. There may be some air quality issues arising from construction traffic.

- *Ecology*

10.21 The proposals will give rise to ecological issues however these are likely to be confined to areas around the cable jointing bays provided along the route of the cabling duct and the site of the proposed sub-station. The consultation response will need to highlight the importance of safeguarding ecological interests.

- *Public Rights of Way*

10.22 The cable ducts will pass under approximately 40 public rights of way, including the Gipping Valley River Path. Consequently there may be some localised disruption during the implementation of the project and the consultation response will need to highlight the need for all diversions and closures to a minimum.

### *The Next Steps*

10.23 Once the formal consultation has been held the Planning Inspectorate will convene a preliminary meeting prior to the formal examination of the proposals. At this point a statutory timetable will come into effect which affords a maximum of six months for the examination, three months for the Planning Inspectorate to make a recommendation to the Secretary of State and a further three months for the Secretary of State to make a decision.

10.24 During the examination process the District Councils will be invited by the Planning Inspectorate to submit a Local Impact Report. The purpose of such a report is to set out the likely effect of the proposal upon the area administered by each authority. Wherever possible however local authorities are encouraged to produce Statements of Common Ground with the development promoters. The intention is to resolve as many outstanding concerns prior to the examination.

10.25 As with the East Anglia ONE project, District Council officers will be working closely with colleagues at Suffolk County Council and Suffolk Coastal District Council and it is envisaged that a joint Local Impact Report will be produced.

### *Conclusions*

10.26 The proposals being advanced by Scottish Power Renewables offer potentially significant socio-economic benefits at both a national and local level. While those benefits are acknowledged, the response to the consultation will need to make it clear that any localised impacts during the construction and subsequent operation of the project should be kept to an absolute minimum. Scottish Power Renewables should consequently be strongly urged to make use of appropriate technology and extensive landscaping to lessen the visual impacts of the proposed sub-station at Bramford upon the surrounding countryside and local residents.

11. **Appendices**

East Anglia THREE – Application Documents

<http://infrastructure.planninginspectorate.gov.uk/projects/eastern/east-anglia-three-offshore-wind-farm/>

12. **Background Documents**

None.

Authorship

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