



The North Falls Offshore Wind Farm project (EN010119)

Babergh District Council submission to procedural deadline 2

This is the submission of Babergh District Council to deadline 2 of the examination for the North Falls Offshore Wind Farm project (EN010119) consisting of Babergh District Councils' responses to ExQ1.

1. Babergh District Council responses to ExQ1

Q1.1.4 The applicant's ES Chapter Policy and Legislative Context APP-017 does not refer to the Babergh and Mid Suffolk Joint Local Plan 2023. The policies of this document are material considerations in the determination of this application. In particular, the ExA's attention is drawn to policies LP18 and LP25

Q1.1.5 East Bergholt NP made 2016, including policies EB6 and EB9. Full weight:
<https://www.babergh.gov.uk/documents/d/babergh/east-bergholt-np-july16>

Stutton NP made 2023, including policies SN9 and SN13. Full weight:
<https://www.babergh.gov.uk/documents/d/babergh/stutton-np-adopted-july23>

Following the Government's new National Planning Policy Framework announcement in December 2024, Babergh and Mid Suffolk District Councils are proceeding with a full Joint Local Plan review. A new Local Development Scheme will be published on 5th March 2025 and will be available here: <https://www.babergh.gov.uk/joint-local-plan>

Q1.1.6 Both the Norwich to Tilbury and Five Estuaries NSIPs are considered to be at a sufficiently advanced stage to be reasonably foreseeable, in a Vanguard sense. As such, all elements of those developments, including onshore substations, pylons and overhead lines, should be considered in the assessment of cumulative effects for this project.

Q1.4.2 No comment

Q1.4.3 No comment

Q1.4.5 No comment

Q8.1.7 Although not proposed, the ExA notes that various RRs from IPs in close proximity to the OnSS state a preference for earthwork bunding as mitigation [RR-227]. These could screen and reorientate views in sensitive locations. Please can the Applicant comment on how the use of earthwork bunds would be reviewed on a location-by-location basis.



We cannot see reference to earthwork bunding in RR-227.

In relation to their use generally, in landscape character and visual impact terms, bunding is out of keeping with most local landscapes and should primarily be used away from visual receptors and be carefully designed to have shallow slopes (1:5 maximum) in order to ensure they blend with the surrounding landscape.

Steeper slopes are also harder to establish vegetation on and can suffer from erosion and/or tree losses due to roots being raised above the water table.

There could be a place for bunds being used as a temporary measure during construction.

The use or otherwise of bunds as part of the landscape strategy is not likely to have a significant impact one way or the other on Babergh District Council.

Q9.2.7 The Design Vision [APP-234] seeks to set out a strong vision in relation to landscape and the proposed enhancement opportunities the project presents. (Para 1.1.1). However, we remain sceptical as to whether the proposals offer a sufficient strengthening of landscape character when the site and its immediate setting are changed from an open, agricultural landscape to an industrial one fringed by vegetation. The landscape is more than the features at its boundaries, and the visualisations by the applicant show that, even after 15 years, there will remain views of the tops of the structures of the installation from key receptors.

Para 1.3.4 OLEMP (APP1-036) provides one of two main documents that identify the landscape strategy and proposals alongside the Landscape and Visual Impact Assessment [APP-044). However, there is no spatial plan associated with the OLEMP. The written document cannot be read in isolation to the layout and spatial extent of the mitigation. It makes the text generic and limited in value. The only landscape strategy plan so far appears to be the Landscape Mitigation Plan (refer to ES Figure 30.1.6 (Document Reference: 3.2.26)). This plan dates from June 2024.

The Landscape and Visual Impact Assessment [APP-044) makes reference to the Landscape Mitigation Plan. The Design Vision in contrast, in '*Section 1.5 Design Process - Prior to DCO Submission*' references an Outline Landscape Masterplan Figure 20. This masterplan identifies a series of fragmented buffer planted areas that do not follow the current landscape or boundary structure. A bigger, better, and connected approach to GI delivery should be sought to ensure a landscape-scale approach to conservation and enhancement of the landscape that delivers multiple functions and benefits to people and the landscape. From Babergh District Council's perspective, this would further reduce the likelihood of impacts on the National landscape and its setting.

The Design Council Design Review Panel called for this approach and for the project team to think outside the red line boundary to create an integrated landscape approach which could include the planting of trees and renewal of hedgerows in the wider landscape area. This is referenced by the applicant in The Design Vision's Paragraph 6.4.7, but we do not see how this feeds into the Landscape Strategy as claimed at 6.4.10. Works outside the project boundary could be facilitated through creation of a compensation fund that could be administered by local partners such as TDC, ECC, EWT, local parishes and landowners. Our



judgement is that the scheme does not, as advised, move beyond a mitigation strategy to respond holistically to its context.

The North Falls design does have the advantage of providing screening to the northern boundary and identifies the parameter of 20m width for the woodland buffer.

The cross-section BB' and GG' on Pages 39 and 40 demonstrate that the top of the installation could still be visible once the vegetation has matured. Cross sections CC' and EE' do not show the installation so are of limited value. Sections DD' and FF' do not show the position or scale of any visual receptors so are of limited value.

- (i) Does R5 provide sufficient control for all design aspects?

No comment

- (ii) Should the Design Vision be a separate certified document within Schedule 12 Part 3 of the dDCO [AS-022]?

As the Design Vision includes the main landscape design strategy, which is not identified in any other documents, it would be preferable if the Design Vision was a certified document in the dDCO.

- (iii) The Design Vision paragraph 1.4.3 refers to the production of a Design Guide to inform the detailed design proposals. Should the production of that Design Guide be specifically secured by the dDCO?

As the Design Guide will identify detailed landscape guidance that will help deliver the main landscape strategy, it would be preferable if the Design Guide was secured in the dDCO.

Q9.2.17 No Comment

Q14.1.5 NFOWF has the potential to significantly impact the special qualities of the Suffolk Coast and Heaths Area of Outstanding Natural Beauty (SCHAONB) in particular when acting cumulatively with other existing, consented and proposed OWF projects.

- (i) Is the assessment provided robust, and what further information is expected in this regard.

In relation to the offshore element of North Falls Offshore Wind Farm, significant landscape and visual impacts on Babergh District Council (BDC) have been scoped out of the LVIA [APP-044]. In relation to direct landscape impacts from the ONSSS, these will not occur on receptors in BDC. However, there remains an issue in relation to potential visual impacts, especially in relation to the likely cumulative impacts from Five Estuaries, the EACN and Overhead Line of N2T. BDC are concerned that there is the potential for residual visual impacts both during construction and during operation from the Onshore Substation on the National Landscape or its setting, due to its scale.

Whilst the ES document figures identify the ZTV in relation to the proposed viewpoints, *Figure 30.1.2, Substation Zone of Theoretical Visibility (18m in height)* and Viewpoint Locations they do not identify either in relation to the boundaries of the AONB/National Landscapes. The



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AONB/National Landscapes are shown on *Figure 30.1.4, Designated Landscapes*. However, this figure truncates the Dedham Vale AONB/National Landscape in the west/North-West, so an additional figure centred on the ONSSS is required with the AONB/National Landscapes overlying the ZTV and viewpoint locations.

Viewpoint 1: Court Farm Stutton Road baseline and visualisation identifies these to be taken within Suffolk and Essex Coast and Heaths National Landscape, but this part of the National Landscape is not shown on the Designations Map, Fig 30.1.4. This needs to be rectified to aid understanding and scrutiny of the LVIA. Figure: 30.2.1c, Cumulative Assessment does not show the pylons associated with N2T and the EACN. This needs to be rectified.

Viewpoint 8: Essex Way Dedham Road no Cumulative Assessment visualisation is shown from this viewpoint which is within Dedham Vale National Landscape. This needs to be rectified.

Our work with the applicants for Five Estuaries has shown there are some glimpsed views to be had from higher ground south of East Bergholt and north of Flatford Mill within Dedham Vale NL, and it is suggested that an additional viewpoint or two should be assessed and a wireframe visualisation be presented from this area to aid understanding and scrutiny of the LVIA.

- (ii) Do the proposals comply with local and national policy, in particular the obligation on relevant authorities to 'seek to further the purposes of an AONB' when undertaking activities, required by section 245 of the Levelling Up and Regeneration Act (2023). Especially in light of Defra guidance published 16 December 2024 where relevant

Babergh District Council (BDC) is aligned with Suffolk County Council (SCC) in judging that the obligation on relevant authorities to 'seek to further the purposes of an AONB' when undertaking activities, required by section 245 of the Levelling Up and Regeneration Act (2023), and in light of Defra guidance published 16 December 2024, has not yet been fulfilled.

Q14.1.7 The LVIA identifies beneficial effects of planting after 15 years. VP02 and VP03 reduce in impact at the 15-year point to minor and not significant, and moderate respectively [APP-044]. Please provide further comment on the benefits, especially with regard to winter months. Please distinguish between the mitigation and screening of planting which seeks to obscure the view of the proposed OnSS and how this effects the open agricultural character of the landscape.

The baseline photographs demonstrate the open agricultural landscape with long, substantially uninterrupted views across it. The visualisations Year 1 53.5-degree views show, even from a distance, the extent of the proposed development of North Falls, a view that would remain substantially visible from close viewpoints, until Year 10-15. The visualisations Year 15, show that the proposed development would still show above the mitigation planting across the length of it. In winter this effect would be compounded.

Whilst it is likely that the residual impacts on receptors within the AONB/National Landscape or its setting within BDC would be minor adverse (not significant), likely cumulative impacts



from Five Estuaries, the EACN and Overhead Line of N2T, BDC remain a concern, both during construction and operation due to the scale of these cumulative projects.

Q14.1.8 The ExA is aware of a difference in approach to screening of the proposed OnSS within the VEOWF proposal and that of NFOWF. Please set out the principal differences and any rationale for the approach, as well as any measures taken to incorporate elements within either scheme which would mitigate these visual impacts.

In terms of landscape character, the VEOWF proposal creates a more coherent strengthened landscape framework, whilst also extending the green infrastructure further into the wider landscape. In contrast that coherence is lacking in the NFOWF scheme, but it does have the advantage of providing better screening to the north/north-west of the scheme and has committed to a 20m width buffer as a parameter on the Outline Landscape Masterplan Figure 20. Whilst it is likely that the residual impacts on the AONB/National Landscape or its setting within BDC would be minor adverse (not significant) on visual receptors, in relation to the likely cumulative impacts from Five Estuaries, the EACN and Overhead Line of N2T, BDC are concerned that there is the potential for residual visual impacts on the National Landscape or its setting, both during construction and during operation from the Onshore Substation, due to the scale of these cumulative projects.

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