



Suffolk County Council (20050784)

Comments on submissions received at
Deadline 3

North Falls (EN010119)

Deadline 4

25 April 2025

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Glossary of Acronyms

CEA	<i>Cumulative Effects Assessment</i>
CRoWA	<i>Countryside and Rights of Way Act</i>
D3	<i>Deadline 3</i>
EA2	<i>East Anglia TWO</i>
EIA	<i>Environmental Impact Assessment</i>
ES	<i>Environmental Statement</i>
ExA	<i>Examining Authority</i>
ExQ1	<i>Examining Authority's First Written Questions</i>
GLVIA	<i>Guidance</i>
ISH	<i>Issue Specific Hearing</i>
LCT	<i>Landscape character type</i>
LIR	<i>Local Impact Report</i>
NE	<i>Natural England</i>
SECHNL	<i>Suffolk and Essex Coast and Heaths National Landscape</i>
SHC	<i>Suffolk Heritage Coast</i>
SLVIA	<i>Seascape, Landscape and Visual Impact Assessment</i>

"SCC" refers to Suffolk County Council

Purpose of this Submission

The purpose of this submission is to provide responses to the Applicant's Deadline 3 ("D3") submissions, as appropriate. Examination Library references are used throughout to assist readers.

1 Comments on submissions received at Deadline 3

9.33 Assessment of the Special Qualities of the Suffolk and Essex Coast and Heaths National Landscape and Suffolk Heritage Coast – Technical Note (Rev 0) [[REP3-044](#)]

Ref.	SCC's Comments	References
Table 2: Effects assessed at viewpoints in the SECHNL and SHC	<p>Viewpoint 8 – Orford Ness</p> <ol style="list-style-type: none"> 1. SCC agrees with Natural England (“NE”) that this receptor is of high sensitivity. To downgrade the visual receptor sensitivity, reasoning that the focus is on the wildlife rather than on views out to sea, is not acceptable. It is both a generalisation of the users and a narrowing of the function of the National Trust Nature Reserve. The motivation to visit this site may be its remoteness and relative wildness as much or even more so than the wildlife and structures found there. And it is the relative wildness which is at risk of being further eroded. 	
3.1 Methodology for Assessing Effects on Special Qualities	<ol style="list-style-type: none"> 2. As SCC has stated in Paragraphs 7.18 and 7.19 of its Local Impact Report (“LIR”) [REP1-074] and in response to question 14.1.11 of the Examining Authority’s First Written Questions (“ExQ1”) [REP2-059], it does not agree with the averaging of effects on special qualities overall, so as to lower the significant effects experienced along the coast to below-significant overall, reasoning that the special quality is not affected in the same way in all areas of the designated landscape. Further, SCC considers that, given that there are effects which are considered by the Applicant to be just under the threshold of significance, the effects on ‘natural beauty’ and the purposes of the designation should have been fully assessed. While Environmental Impact Assessment (“EIA”) needs to focus on significant effects in the first instance, this does not mean, effects below the threshold of significance can be ignored. This is particularly relevant in the designated landscape. 3. SCC understands from the Applicant’s comments during Issue Specific Hearing 	

	<p>2 (“ISH2”) that the Applicant is using factors in addition to ‘scale of change’ to determine magnitude of impact. In Paragraph 7 of the technical note, the Applicant states that the technical note is to be read in a supplementary way to the Environmental Statement (“ES”), specifically the Seascape, Landscape and Visual Impact Assessment (“SLVIA”) ([APP-043]) and the SLVIA methodology document [APP-170]. Paragraph 14 sets out the methodology used to assess the Suffolk and Essex Coast and Heaths National Landscape (“SECHNL”) special qualities and states that whilst the SLVIA was carried out in accordance with the Seascape and Landscape Visual Impact Assessment and Visualisation Methodology (“SLVIA and VM”) [APP-170], the specific approach for assessing the special qualities was not given. As SCC understands it, the Applicant’s technical note does not seek to overturn the methodology set out in the Seascape and Landscape Visual Impact Assessment and Visualisation Methodology [APP-170]; rather, the technical note seeks to provide further details on how this methodological approach was applied to the special qualities of the SECHNL. Therefore, as SCC understands it, Table 1.4 of the SLVIA and VM [APP-170] provides the four factors which are considered when determining magnitude of impact for seascape and landscape impacts: scale, geographical extent, duration and reversibility. If Paragraph 14 is in fact seeking to make a distinction between this methodology and the one used to assess the SECHNL’s special qualities, then greater detail of this is required. For instance, regarding magnitude of impact, Paragraph 14 states:</p> <p><i>‘The magnitude of impact on the SECHNL was evaluated in terms of the theoretical visibility of the North Falls offshore wind farm, and the ways in which views of the offshore wind farm could affect special qualities;’</i></p> <p>4. SCC considers this to be a vague description of the methodology used. Clarity regarding to what extent the methodology described in the SLVIA and VM [APP-170] is followed and what departures, if any, from that methodology apply to the assessment of the SECHNL would aid in understanding how conclusions on the</p>	
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	<p>magnitude of impact on the SECHNL have been reached. From the Applicant's comments during ISH2 and from the importance placed on scale of change in this technical note, it is clear that factors such as geographical extent and scale of change are being factored into judgements on magnitude of impact. The Applicant should clarify and justify how the relevant factors – scale of change, reversibility, duration and geographical extent – are given particular levels of relative importance when judgements regarding magnitude of impact are made. This is confirmed in the SLVIA and VM [APP-170], though this is not expanded upon in this technical note.</p> <p>5. The Applicant recites its findings from the SLVIA but does not provide an explanation as to how the scale of change on several special qualities is judged to medium and yet the magnitude of impact is judged to be '<i>locally low along the coast</i>'. <i>Guidelines for Landscape and Visual Impact Assessment</i> ("GLVIA")¹, cited in footnote 243 of EN-1, such as in paragraph 3.28, state that judgements on how scale, extent and duration contribute to magnitude of effects must be clearly demonstrated.</p> <p>6. Due to these outstanding concerns, SCC does not consider that its methodological concerns regarding the assessment of impacts on the SECHNL raised in Paragraphs 7.18 to 7.20 of its LIR [REP1-074], in response to Q14.1.11 of ExQ1 [REP2-059], and during ISH2, have been addressed.</p>	
3.2 The Special Qualities and Natural Beauty of the SECHNL	<p>7. The technical note does not assess the special qualities of the natural beauty indicator 'Relative Tranquillity'. It can only be inferred that the Applicant does not consider Relative Tranquillity to be a relevant natural beauty indicator. However, no justification is given for the Applicant's position. SCC considers that the Applicant should assess the special qualities of Relative Tranquillity to ensure that the full extent of impacts on the SECHNL are assessed.</p>	

¹ The Landscape Institute and Institute of Environmental Management and Assessment: Guidelines for Landscape and Visual Impact Assessment (2013, 3rd edition)

<p>3.3 Effects on the Special Qualities of the SECHNL</p>	<p>8. SCC does not follow the logical link between the findings of the scale of change to the special qualities of the assessed natural beauty factors and the conclusions of magnitude of change for these special qualities. Paragraph 21 states that three special qualities are assessed to have a medium scale of change, with others experiencing small or no change. The technical note concludes that 'The magnitude of change to these special qualities will be low'. SCC is concerned with the lack of detail given on how the Applicant reaches this conclusion following the assessed scales of change on special qualities. Paragraph 41 clarifies that the conclusion of moderate-minor effects applies to the three special qualities judged to have a medium scale of change. However, it is not specified how this conclusion is reached. Therefore, SCC's concern regarding the lack of justification for how a medium scale of change does not translate into a medium magnitude of impact, as detailed in SCC's LIR (Paragraph 7.19 [REP1-074]) has not been addressed.</p> <p>9. Paragraph 22 is quoting ES Chapter 29 ([APP-043]):</p> <p><i>'the scale of change on certain perceptual aspects of the SECHNL special qualities is judged to be medium, although other special qualities will be entirely unchanged'.</i></p> <p>10. This is followed by Paragraph 23 of the technical note, stating that the 'magnitude of change to these special qualities will be low' without explanation. As stated in SCC's comments on the Applicant's methodology in this document, the Guidelines for Landscape and Visual Impact Assessment (2013) (such as paragraph 3.28), referenced in EN-1, requires explanation and justification of how relevant factors have been weighed up relative to their magnitude and how a conclusion of magnitude of impact has been reached. SCC would appreciate clarity on how these conclusions have been reached.</p> <p>11. SCC's notes that the following is stated on Page 6 of the Seascape and</p>	
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	<p>Landscape Visual Impact Assessment and Visualisation Methodology [APP-170]:</p> <p><i>‘Scale of change is generally the dominant factor in assessing magnitude of impact, though other factors may have more or less influence depending on the situation’.</i></p> <p>12. In the case of the special qualities assessed to experience a medium scale of change, duration and reversibility are likely to be considered on the higher end of the spectrum of magnitude due to the length of the project’s operational phase (stated as 30 years in the Seascape and Landscape Visual Impact Assessment and Visualisation Methodology, [APP-170]). Paragraph 14 of the technical note states that the geographical extent is judged to be small. Therefore, it seems that geographical extent is given a relatively high weight in the professional judgement given the levels of magnitude likely to be assigned to the other factors. Clarity on the Applicant’s reasoning on this issue is welcomed. SCC considers that the weight given to the relevant factors used to come to the judgement of the magnitude of impact, along with each factor’s relative magnitude, should be clarified and justified to allow the robustness of the assessment to be evaluated.</p> <p>13. Whilst three special qualities are judged to have a medium scale of change, there will be a small scale of change to eight special qualities. SCC considers it necessary for the Applicant to carry out the same exercise of providing clarity on reasoning for how conclusions of magnitude of impact are reached for each special quality which experiences some non-negligible scale of change. This would allow the impacts on the special qualities of the SECHNL to be fully ascertained and evaluated.</p>	
3.4 Effects on the Special Character of the SHC	<p>14. SCC defers to and supports the views of NE.</p> <p>15. SCC also wishes to note that even if it would be considered acceptable to assess</p>	

	<p>the Suffolk Heritage Coast (“SHC”) through the landscape character types (“LCTs”) contained within it, and even if the assessment results for the LCTs would be considered acceptable as assessment results for the special character of the SHC, given the fact that the effects identified by the Applicant are just below the significance threshold, these effects could have been better acknowledged.</p>	
3.5 Cumulative Effects	<p>16. SCC notes that Paragraph 35, which quotes Paragraph 157 of ES Chapter 29 ([APP-043]), states:</p> <p><i>‘in relation to total cumulative effects, that there is potential for these to be significant in relation to LCTs 5, 6 and 20 along the Suffolk coast between Felixstowe and Orford Ness, which are within the SECHNL and SHC. By extension, total cumulative effects on the special qualities of the SECHNL and the special character of the SHC may be significant.’</i></p> <p>17. SCC has some concern over the methodological approach taken by the Applicant in judging the extent of cumulative effects on the special qualities of the SECHNL and the SHC. The Applicant acknowledges that there may be significant cumulative effects but qualifies this by claiming that the contribution of the North Falls array area will be limited. However, cumulative effects assessments should assess the effects of the proposed development in combination with others which have not yet been constructed. The contribution of North Falls alone is dealt with in the non-cumulative impact assessment. SCC would like to see some clarity over the conclusions reached in the CEA regarding impacts on the SECHNL.</p> <p>18. The conclusion of <i>‘may be significant’</i> in Paragraph 35 is vague and should be clarified as to whether there are likely significant effects or not. This conclusion should be given clearly with sufficient detail, justification and transparency of reasoning as required by GLVIA (see Paragraphs 3.32 and 3.33 of the GLVIA).</p>	

	<p><u>Relevance to the duty to seek to further the purposes of designated landscapes in section 85 of the Countryside and Rights of Way Act (“CRoWA”) (2000)</u></p> <p>19. The reason for SCC’s interest and concern regarding the robustness of the Applicant’s assessment of impacts on the special qualities of natural beauty indicators of the SECHNL is due to their relevance for discharging the new duty found in s85 of CRoWA 2000. Both EN-1 and the Defra guidance on the duty make reference to the importance of proportionality in relation to activities undertaken to comply with the duty. To understand what is reasonable, appropriate, proportionate and sufficient, one must first ascertain the extent and magnitude of impacts. If conclusions on magnitude of impact by way of professional judgement are not accompanied by sufficient justification, the reasoning process unexplained and the methodology opaque, it is impossible for the decision maker to evaluate the robustness of the conclusions in question. This has the consequence of the decision maker being left unable to verify the extent and magnitude of adverse impacts which this project will have on a protected landscape. Hence, the decision maker is unable to come to a justified conclusion on the extent of the measures which are required by the duty in this case.</p> <p>20. It should be noted that special qualities directly relate to a certain natural beauty indicator. Since the purpose of the SECHNL designation is to conserve and enhance its natural beauty, adverse impacts on the SECHNL’s special qualities are directly related to discharging the new duty in s85 CRoWA 2000.</p> <p>21. SCC intends for its queries and concerns on the assessment of the SECHNL to be read in the context of the importance this assessment carries when discharging the new duty found in s85 CRoWA 2000. SCC has made separate representations on matters relating to this duty during ISH1 and ISH2 and SCC’s respective post-hearing submissions, in SCC’s LIR [REP1-074] and in response</p>	

	to ExQ1 [REP2-059]	
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9.25 Applicant's Comments on Responses to ExQ1 (Rev 0) [\[REP3-036\]](#)

Ref.	SCC's Comments	References
REP2-059_f	<ol style="list-style-type: none"> 1. In response to SCC's answer to ExQ1 Q14.1.11, the Applicant states that the intensification of effects on the SECHNL caused by the Five Estuaries and East Anglia TWO ("EA2") offshore wind farms does not amount to an increase in magnitude of change to the extent that the magnitude of change does not increase above 'low'. SCC would like to see sufficient justification and clarification as to precisely why the intensification caused by the Five Estuaries array area does not increase the magnitude of change above 'low'. 2. SCC would also appreciate clarification in how to understand how the Applicant's comments here relate to what is said in the Applicant's Assessment of the Special Qualities of the Suffolk and Essex Coast and Heaths National Landscape and Suffolk Heritage Coast – Technical Note (Rev 0) [REP3-044]. Paragraph 35 reads: '<i>total cumulative effects on the special qualities of the SECHNL and the special character of the SHC may be significant</i>', but that North Falls' contribution is minor. This point is reiterated in paragraph 43 of that document. This seems to suggest that the intensification of effects caused by the Five Estuaries and EA2 array areas in combination with North Falls may cause significant effects, though it is suggested by the Applicant in its comments on responses to ExQ1 that this is not the case. Therefore, clarity on how these statements should be understood would be appreciated by SCC. 3. SCC has similar methodological concerns with the Cumulative Effects Assessment ("CEA") of the offshore array areas on the SECHNL as it has stated 	

	<p>in its representations regarding the assessment of the North Falls arrays alone. This is because the Applicant does not assess the cumulative effects on each special quality of the SECHNL which experiences a non-negligible scale of change. For the CEA on the SECHNL to be properly evaluated and impacts fully ascertained, it is necessary for the Applicant to assess each special quality affected by the proposed development and give justified reasoning regarding the magnitude of impact on each special quality in respect of the CEA.</p>	
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