



**Suffolk County Council (20050784)**

**Issue Specific Hearing 2 Post-Hearing  
Written Submission**

**North Falls (EN010119)**

**Deadline 4**

**25 April 2025**

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## Glossary of Acronyms

<i>AONB</i>	<i>Area of Outstanding Natural Beauty</i>
<i>(d)DCO</i>	<i>(draft) Development Consent Order</i>
<i>EACN</i>	<i>East Anglia Connection Node</i>
<i>EIA</i>	<i>Environmental Impact Assessment</i>
<i>ExA</i>	<i>Examining Authority</i>

<i>ExQ1</i>	<i>Examining Authority’s First Written Questions</i>
<i>ISH2</i>	<i>Issue Specific Hearing 2</i>
<i>LBBG</i>	<i>Lesser black backed gull</i>
<i>LIR</i>	<i>Local Impact Report</i>
<i>SCHAONB</i>	<i>Suffolk and Essex Coast and Heaths Area of Outstanding Natural Beauty</i>
<i>SLVIA</i>	<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 a written summary of representations made by Suffolk County Council (“SCC”) at Issue Specific Hearing 2 (“ISH2”) held on 8, 9 and 10 April 2025. Examination Library references are used throughout to assist readers.

<b>Item</b>	<b>Suffolk County Council’s Summary of Oral Case and responses to questions</b>	<b>References</b>
<b>1</b>	<b>Welcome, introductions, arrangements for the Hearing</b>	
	<p>Suffolk County Council were represented by the following team in person:</p> <ul style="list-style-type: none"> <li>- Michael Bedford KC, Barrister</li> </ul>	

	<ul style="list-style-type: none"> <li>- Graham Gunby, National Infrastructure Planning Manager</li> <li>- Zachary Farndon, Planning Officer (NSIPs)</li> <li>- Clara Peirson, Graduate Project Officer</li> </ul> <p>Attending colleagues were supported by the following team virtually:</p> <ul style="list-style-type: none"> <li>- Isolde Cutting, Senior Landscape Officer</li> <li>- Tim Outlaw, Ecologist</li> </ul>	
<b>2</b>	<b>Purpose of this Issue Specific Hearing</b>	
<b>3</b>	<b>Matters for discussion at this Hearing</b>	
<b>3.1</b>	<b>Draft Development Consent Order (dDCO)</b>	
	<p>SCC has no representations to make under Agenda Item 3.1, other than the below comments which SCC raised under the 'Other matters' sub-item.</p> <p>SCC drew attention to two points it has made in previous submissions regarding changes to the draft DCO. These were SCC's request to be a named consultee to the discharging authority for the Skills and Employment Plan (Requirement 18), and the addition of a phasing restriction for Work No.1 in relation to the consent of the East Anglia Connection Node ("EACN") to avoid unnecessary harm to the Suffolk and Essex Coast and Heaths Area of Outstanding Natural Beauty ("SCHAONB"). SCC included suggested wording for both requirements in Paragraphs 9.37 and 7.28 of its Local Impact Report ("LIR") (<a href="#">[REP1-074]</a>), respectively.</p> <p>SCC raised these points during the hearing as the Applicant did not respond to them in its comments on SCC's LIR <a href="#">[REP2-023]</a>, and so SCC has not been prompted to provide further information as yet in the</p>	

	Examination. SCC indicated that it is happy to provide further information on these points in writing to assist the Examining Authority (“ExA”) if they consider that to be helpful. The ExA indicated that such information would be helpful, and so this is provided in SCC’s Deadline 4 submission, titled ‘Response to action points arising from Issue Specific Hearings 1 & 2’.	
<b>3.2 Onshore and offshore ecology</b>		
	<ul style="list-style-type: none"> <li>• <b>Regard to the principal areas of disagreement with NE/MMO/RSPB to date. Covering benthic/ intertidal/ fish/shellfish/marine mammal ecology, bats and ornithological matters post Deadline 3. Including impacts to the Margate and Long Sands (MLS) Special Area of Conservation (SAC)/ the Kentish Knock East Marine Conservation Zone (MCZ)/ surrounding Special Protection Area’s (SPA’s).</b></li> </ul> <p>SCC has recommended that advice from Natural England is sought in relation to concerns regarding migratory bats.</p> <ul style="list-style-type: none"> <li>• <b>Whether the cumulative effects concerning all relevant ecology have been adequately addressed. Including the on and offshore ornithological assessment robustness for relevant species/ transboundary cumulative implications/ and in-combination assessments.</b></li> </ul> <p>SCC has no representations to make under this agenda item.</p> <ul style="list-style-type: none"> <li>• <b>Whether the extent and suitability of avoidance and mitigation measures for onshore and offshore ecology are adequate.</b></li> </ul> <p>SCC has no representations to make under this agenda item.</p> <ul style="list-style-type: none"> <li>• <b>Habitat Regulation Assessment considerations –the case made for derogation.</b></li> </ul> <p>SCC has no representations to make under this agenda item.</p>	

	<ul style="list-style-type: none"> <li>• <b>Consideration of relevant compensation proposals (without prejudice or otherwise) for protected sites/applicable species including their overall potential effectiveness. The Applicant will be invited to give a brief overview summary of its most up to date compensation schemes for: Lesser Black Backed Gull; Red Throated Diver; Kittiwake; Guillemot and Razorbill, with ExA questions posed.</b></li> </ul> <p>SCC noted that during the site selection process for the compensation for lesser black backed gulls (“LBBG”), SCC has not seen any consideration of the potential impact of a new establishment of an LBBG colony, either within or close to other designated populations. As LBBG are a potentially predatory species, SCC considers this to be an important consideration. SCC acknowledges the Applicant’s response that there is a high-level screening of impacts considered in the compensation document, but that further detail would be provided at Deadline 4. SCC will comment on this information at Deadline 5, if necessary.</p> <p>The Applicant also noted that the ambition of the compensation scheme was to restore a LBBG colony that had historically been present in great numbers at Lantern Marshes. With regards to this statement, SCC noted that moving back to an historical population size is not necessarily the same as returning to a natural population size, as there may have been other reasons why the population was high at that time. SCC considers it necessary that full assessment of all other species in the area, rather than focusing solely on LBBG, is conducted, as the area of concern has numerous populations which are designated.</p> <ul style="list-style-type: none"> <li>• <b>Regard to the Biodiversity Duty - the level of scheme wide ecological conservation/enhancement provision submitted, as well as related BNG measures</b></li> </ul> <p>SCC has no representations to make under this agenda item.</p> <ul style="list-style-type: none"> <li>• <b>Any other matters pertinent to gauging overall ecological impacts posed by the application deemed appropriate by the ExA.</b></li> </ul>	
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	SCC has no representations to make under this agenda item.	
<b>3.3 Offshore Landscape, Visual and Seascape Effects</b>		
	<ul style="list-style-type: none"> <li>• <b>Whether the proposal would enable the Secretary of State to discharge the section 85 Countryside Rights of Way Act 2000 duty as amended by section 245(6) of the Levelling Up and Regeneration Act 2023.</b></li> </ul> <p>In SCC's view, it is not only the Secretary of State as the decision maker that is a relevant authority whom the statutory duty applies to for this project, but the Applicant is also a relevant authority by virtue of being a deemed statutory undertaker. SCC has set out its reasoning in Footnote 2 of Annex 1 of its response to the Examining Authority's First Written Questions ("ExQ1") <a href="#">[REP2-059]</a>. SCC would welcome some clarification from the Applicant regarding whether it accepts that it is indeed a relevant authority for the purposes of the section 85(A1) duty. SCC considers this clarification would be useful, as there <b>may</b> (emphasis on 'may') be differences between what is required to discharge the duty depending on whether it is a duty placed only on the decision maker, or whether it is a duty that is also placed on the project promoter. SCC acknowledges the Applicant's intention to clarify its position in relation to this matter in its post-hearing written submissions submitted at Deadline 4, noting its view that there is no practical distinction in terms of the application of the duty. SCC will comment on this, as it deems necessary, at Deadline 5.</p> <p>SCC has provided its comments on the Applicant's Technical Note on the Assessment of the Special Qualities of the Suffolk and Essex Coast and Heaths National Landscape and Suffolk Heritage Coast <a href="#">[REP3-044]</a> in its Deadline 4 submission titled 'Comments on submissions received at Deadline 3'. SCC sought some clarification during the hearing regarding this technical note. Table 4 provides the Applicant's assessment of the scale of change the proposals will have on the special qualities and, in a number of respects, the scale of change is identified as medium, as summarised in Paragraph 22.</p>	

	<p>Paragraph 23, however, states that the magnitude of change to the National Landscape and its special qualities (a receptor of high sensitivity) is assessed to be low. The Applicant's Seascape, Landscape and Visual Impact ("SLVIA") Methodology [APP-170] does not seek directly to provide an explanation of the approach taken to the special qualities assessment, and this is confirmed in Paragraph 14 of the Technical Note [REP3-044]. SCC is, therefore, not clear on the reasoning process that has allowed a series of medium scale of change effects on the special qualities to then be said to come to a low magnitude of impact. This would then feed into the question of significance for Environmental Impact Assessment ("EIA") purposes. The Applicant explained that the magnitude of impact considers other factors in addition to scale of change, including geographical extent and reversibility. SCC sought clarification that the Applicant was suggesting that a medium scale of change can become a low magnitude of impact because, in the Applicant's view, only parts of the National Landscape would experience the adverse effect on the special qualities (i.e. the geographical extent is small). The Applicant responded to confirm that this was, indeed, how the methodology worked.</p> <p>SCC disagrees that with the Applicant's view that it is appropriate to reduce the materiality of impacts on special qualities of the Area of Outstanding Natural Beauty ("AONB") (particularly those arising in the coastal parts of the AONB with views out to the proposed development) by reference to the fact that they are only a part of the overall AONB. SCC consider that the materiality of an adverse impact on a special quality stands in its own terms, because that is an intrinsic part of the AONB. SCC does not consider it appropriate to say that because some parts of the AONB are not adversely impacted because they do not have views out to the turbines, the effect is diminished. If there were to be any prioritising of elements within the AONB, SCC considers that, in terms of the Suffolk and Essex Coast and Heaths National Landscape, the coastal part is a primary and key part of the designation and therefore impacts on the coast stand, and should be evaluated, in their own terms and should not be diminished by the fact they are only part of the overall National Landscape.</p> <p>SCC wishes to emphasise that the effects on the National Landscape and its special qualities reported by the Applicant in its application (in particular the SLVIA [APP-043]) and expanded on in the Technical Note [REP3-044] are residual effects. Changes that were made in the evolution of the application, such as the</p>	
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reduction in height and number of wind turbine generators, are ‘baked into’ the assessment. It would be, in a sense, ‘double counting’ to be relying on those to show discharge of the duty. The SLVIA, even after those changes, is still showing adverse impacts on the National Landscape and its special qualities, and that is the starting point for consideration of whether or not it is possible for the new statutory duty to be satisfactorily discharged by the proposal in its current format. SCC is not persuaded, as indicated in its Local Impact Report [\[REP1-074\]](#), based on the findings of the SLVIA, that the proposal as currently formulated, and in the absence of any offsetting through compensatory measures or explanation of why they are not realistically achievable, is currently in a state that the statutory duty is able to be discharged, whether by the Applicant or by Applicant and the Secretary of State.

Paragraph 5.10.8 of EN-1 states that:

*“the Secretary of State should be satisfied that measures which seek to further the purposes of the designation are sufficient, appropriate and proportionate to the type and scale of the development”.*

SCC emphasises the use of the word “sufficient”, to which SCC considers this clearly refers to the need for the measures to be sufficient to enable the decision maker to be satisfied that the statutory duty is discharged. When one is considering the question of ‘appropriateness’ or ‘reasonableness’ of measures, the measure must meet the test of being sufficient.

SCC would also like to note that it does not agree that merely because the effects on the National Landscape and its natural beauty indicators are assessed by the Applicant to be non-significant in EIA terms, that that means they are not negative effects. In the recent London Luton Airport Expansion Development Consent Order decision on 3<sup>rd</sup> April 2025, the Secretary of State concluded that the effects on the special qualities of the Chilterns AONB would not be significant. Nonetheless, the Secretary of State still required a compensation payment of a financial sum to fund the conservation or enhancement measures within the AONB, in order that she could be satisfied that the duty was discharged. It should also be noted that these effects were a type of indirect effect in the sense that it was the impact on the relative tranquillity of the Chilterns AONB from overflights in the airspace above the AONB, and there was

	<p>no physical development proposed within the AONB. Appendix A contains the relevant extracts of the Secretary of State's decision letter, and Article 54 of the made DCO.</p> <p>In relation to the North Falls Offshore Wind Farm project, even if the residual negative effects identified in the SLVIA are properly regarded as low magnitude, they are still negative effects as the Applicant makes clear on pages 2 and 3 of its SLVIA Methodology <a href="#">[APP-170]</a> when it says that the identified effects are to be treated as adverse or negative. As a result, the Applicant's identification of negative effects means there is inevitably a failure to conserve the AONB and its special qualities (where conserve means to keep free from harm). And, of course, nothing is proposed by way of enhancement measures to offset or compensate for those negative effects as at present. SCC asked that the Applicant clarify its position and whether it accepts that the results of its own findings in the SLVIA <a href="#">[APP-043]</a> and the Technical Note <a href="#">[REP3-044]</a> that there are residual adverse impacts on the special qualities of the National Landscape mean that it follows that the project, as currently formulated, does not conserve the natural beauty of the AONB. SCC acknowledges that this is only a step in the reasoning and there can then be arguments about what the consequences of this would be in terms of the statutory duty, noting that the duty is "to seek to further", not "to further". However, SCC considers it would be useful to understand whether the Applicant agrees that the proposals as currently formulated do not conserve the natural beauty of the AONB. SCC acknowledges that the Applicant will respond to this question in writing at Deadline 4, and SCC will comment on this at Deadline 5, if necessary.</p> <p>SCC is aware of the recent High Court case in relation to the New Forest National Park Authority and Secretary of State for Housing, Communities and Local Government judgement, which SCC notes the Applicant stated it would submit into this Examination at Deadline 4. This case did not address the issue of impacts on a protected area in EIA terms and so does not assist in the question of whether if impacts are below the threshold of significance this is sufficient to satisfy the duty. One can infer that if being below the level of significance was enough to satisfy the duty, the case would not have got off the ground as it was not EIA development. In Paragraph 77 of the judgement, the Judge takes the position that to achieve the aim of conserving a protected area means "<i>to preserve intact or to maintain in an existing state</i>". In SCC's view, it inevitably follows from the SLVIA findings in this case, that this objective is not</p>	
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	<p>achieved by the North Falls proposal as currently formulated, with particular reference to Table 29.21 and Table 29.39 of the Applicant's SLVIA [APP-043]. SCC wished to place on record that it does have reservations about the New Forest finding in paragraphs 79 and 86 that the duty can be met by conserving alone without any enhancement. In relation to the North Falls proposals, the correctness of this interpretation of the duty is not a matter that needs discussion as the findings of the SLVIA show a failure to conserve.</p> <p>SCC notes that in the Gatwick Northern Runway Development Consent Order Examination, the Secretary of State's minded-to letter of 27<sup>th</sup> February 2025<sup>1</sup> looks to the Applicant in that case to provide something in the way of enhancement, even though the ExA in that case considered that those proposals would conserve the relevant landscape. So, the Secretary of State in this case does appear to be applying the phrase "conserve <i>and</i> enhance" to mean that both must be achieved.</p> <p>SCC noted that given the Rampion 2 decision was only announced a few days before this Issue Specific Hearing, SCC had not yet had sufficient time to absorb it. The Applicant stated in the Hearing that the impacts of different schemes are not directly comparable and so decisions for recent development consent orders that deemed it appropriate and proportionate for a financial contribution to be provided do not set a precedent that every scheme that identifies any impact should provide a financial contribution. SCC certainly accepts that decisions must be made on a case-by-case basis and there will be factual distinctions between cases, and it does not follow that because someone in one case has made a contribution, all people in all cases will have to make a contribution. However, SCC considers that it is very clear in this case from the Applicant's own evidence that there are residual adverse impacts and, bearing in mind the need for measures to be sufficient to meet the statutory duty, SCC considers that the Applicant needs to do more. SCC would certainly invite the Applicant to engage with SCC and the Suffolk</p>	
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<sup>1</sup> <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR020005/TR020005-003951-Gatwick%20Airport%20Northern%20Runway%20Project%20-%20Minded%20to%20Letter.pdf> accessed 14/04/2025

	<p>and Essex Coast and Heaths National Landscape Partnership, of which SCC is a sponsoring body, on measures that can be taken to address those residual adverse effects.</p> <p>SCC wished to clarify that the measures it is looking for the Applicant to come forward with would not be those that would remove a physical part of the development e.g. removing wind turbine generators. SCC is accepting that the proposed development is as it is, but if that development has residual adverse impacts, then offsetting measures need to be brought forward that are related in scale and kind to the residual adverse impacts. They also need to have a nexus of some form in planning terms that can relate them to those offsetting impacts. SCC is interested in the negative impact on the appreciation and perception of the special qualities of the National Landscape, in particular along the coastal strip. SCC considers the first port of call would be measures which could improve the accessibility of the National Landscape, and in particular the coastal strip, to be appreciated, e.g. measures relating to improving accessibility for those who are mobility-impaired, or linking sections of coastal paths with other routes. These measures, for example, would help people appreciate and experience the coast, so if there are negative impacts on that experience through the presence of the wind turbine generators, then these offsetting measures in relation to accessibility to the coast could be seen to have a reasonable nexus that can be related to offsetting that impact.</p> <ul style="list-style-type: none"> <li>• <b>Whether adding further offshore wind turbines into the seascape setting would conserve and enhance the natural beauty of the National Landscape or positively contribute to the special character of the Heritage Coast</b></li> </ul> <p>SCC do not consider the approach taken in Table 5 of the Technical Note <a href="#">[REP3-044]</a> of evaluating the significance or otherwise of effects on the Heritage Coast by reference to overarching Landscape Character Types is refined enough to actually address the impacts on the Heritage Coast. The Landscape Character Types are broad brush and they apply to wider Landscape Character Areas than</p>	
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	<p>the designated Heritage Coast. SCC's concern is that by, in a sense, choosing a broader canvas for your assessment tool, you then effectively dilute the materiality of the impacts.</p> <p>SCC considers that the addition of further offshore wind turbines will not achieve the objectives of conserving and enhancing natural beauty of the Suffolk and Essex Coast and Heaths National Landscape or positively contribute to the special character of the Heritage Coast. However, SCC do consider that the proposals have the potential to help achieve those objectives through providing offsetting measures.</p> <ul style="list-style-type: none"> <li>• <b>Whether there is a difference between Natural England's judgment of the significance of effects (in EIA terms) and the conclusions of the SLVIA.</b></li> </ul> <p>SCC highlighted that it appreciates that there is a distinction between impacts on the resource itself, that is the National Landscape and its special qualities, and visual impacts. The Applicant has identified significant effects in EIA terms on some of the viewpoints, as identified in Table 29.42 of its SLVIA <a href="#">[APP-043]</a>, which SCC concurs with. Although visual impact is a separate issue to impact on the landscape resource itself, there is an overlap as part of the character of the National Landscape is its natural beauty, which is partly appreciated via what humans can see.</p> <ul style="list-style-type: none"> <li>• <b>Whether, or not, the Applicant has coordinated the design with the proposed VEOWF. And, if coordinated, how this would progress.</b></li> </ul> <p>SCC notes that there has been no coordination. This is relevant to the cumulative assessment of the seascape effect of the two projects, as the Applicant's turbines are slightly taller than the maximum proposed height for the Five Estuaries turbines. SCC acknowledges they are in different geographic locations. As part of the cumulative assessment, the curtaining effect of a number of offshore wind farms, including those existing, those consented and those at the application stage, must be taken into account.</p> <ul style="list-style-type: none"> <li>• <b>Whether the effects of the offshore safety lighting for the Proposed Development's wind turbine generators alone and cumulatively with the existing offshore arrays and the proposed VEOWF have been explored.</b></li> </ul>	
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	SCC has no representations to make under this agenda item.	
<b>4</b>	<b>Any other matters</b>	
	SCC has no representations to make under this agenda item.	
<b>5</b>	<b>Close of the ISH</b>	
	SCC has no representations to make under this agenda item.	
<b>Close of ISH2</b>		



## **Suffolk County Council (20050784)**

### **North Falls (EN010119)**

#### **Issue Specific Hearing 2 Post-Hearing Written Submission**

Appendix A: Extracts from London Luton Airport  
Expansion DCO Application Decision Letter and  
Made DCO

**Deadline 4**

**25 April 2025**



The Planning Inspectorate's London Luton Airport Expansion Project Page can be found at the following link: <https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/TR020001>.

## **Decision Letter**

The Secretary of State for Transport's decision letter for the London Luton Airport Expansion Development Consent Order Application can be found at the following link: <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR020001/TR020001-003766-FINAL%20CLEARED%20VERSION%20OF%20DL%20-%20V.4%20PINS.pdf>.

Screenshots of the relevant paragraphs (paragraphs 208-210, 213 and 218) of the decision letter detailing the Secretary of State's conclusion on the Chilterns National Landscape and compliance with section 85 of the Countryside and Rights of Way Act 2000 can be found below:

208. The Secretary of State thanks the Applicant and the Chilterns Conservation Board for their engagement on this matter, and notes their respective interpretations of the purpose of section 85 of the CRoW Act and that ultimately, an agreement could not be reached. The Secretary of State notes the debate between the Applicant and Interested Parties as to the requirements of section 85 of the CRoW Act and has considered this further below. The Secretary of State is aware that since the above responses were provided, on 16 December 2024, DEFRA published guidance for relevant authorities seeking to further the purposes of Protected Landscapes and has had regard to this when making her decision. The Secretary of State considers that in this case a financial contribution of £250,000 for projects which further the purposes of conserving or enhancing the Chilterns National Landscape is sufficient and necessary to meet section 85 of the CRoW Act in this case (on either the Applicant or Chiltern Conservation Board and Natural England's interpretation of its requirements).

209. Accordingly, the Secretary of State has included a new article 54 in the Order in the terms proposed by the Applicant in its response dated 8 November 2024. With the inclusion of this article, the Secretary of State is satisfied that the section 85 CRoW Act has been met. The Secretary of State, having considered the effects of the Proposed Development, considers that a fund of £250,000 represents a reasonable and proportionate contribution to further the purposes of enhancement and conservation in relation to the Chilterns National Landscape.

### **The Secretary of State's Conclusion on the Chilterns National Landscape**

210. The Secretary of State notes that while the Proposed Development would not have a direct impact on the Chilterns National Landscape, it is currently overflowed and would continue to be overflowed by an increased number of aircraft as a result of the Proposed Development. The Secretary of State has considered the representations made by the Applicant and other Interested Parties during the Examination and has also taken account of the representations submitted in response to her consultations during the decision-making period.



213. Overall, the Applicant's SQA concluded that there would be no significant effects on the Special Qualities of the Chilterns National Landscape as a result of the Proposed Development from the increase in aircraft overflow [ER 3.8.21 – 3.8.22]. Following careful consideration of the assessment, the Secretary of State is satisfied that the Applicant has, as far as reasonably possible, assessed the potential effects from the Proposed Development on the Chilterns National Landscape. She accepts the Applicant's conclusion that no significant effects would occur on the Special Qualities of the Chilterns National Landscape as a result of the Proposed Development.

218. Overall, having reached the conclusion that no significant effects would occur on the Special Qualities of the Chilterns National Landscape as a result of the Proposed Development (for the reasons stated above) and with the inclusion of the new Article 54 to satisfy section 85 of the CROW Act, the Secretary of State considers that the Chilterns National Landscape would attract limited weight against the making of the Order.

## **Made Development Consent Order (“DCO”)**

The DCO for the London Luton Airport Expansion project, as made by the Secretary of State, can be found at the following link:

<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR020001/TR020001-003769-250403%20Recommended%20DCO%20final%20.pdf>.

A screenshot of *Article 54: Enhancement and conservation of the Chilterns National Landscape* can be found below:

### **Enhancement and conservation of the Chilterns National Landscape**

**54.**—(1) Having regard to the duty under section 85 of the Countryside and Rights of Way Act 2000, upon service of the notice referred to in article 44(1), the undertaker will make a funding contribution to the Chilterns Conservation Board in the sum of £250,000.

(2) The Chilterns Conservation Board is to allocate the funding contribution referred to in paragraph (1) to one or more projects which—

- (a) further the purposes of conserving or enhancing the Chilterns National Landscape; and
- (b) are consistent with the Chilterns AONB Management Plan 2019-2024 (or any superseding or equivalent document).

(3) Upon any allocation of funding in accordance with paragraph (2), the Chilterns Conservation Board is to notify the undertaker about the project which is in receipt of the funding and provide the undertaker with such information about the project as the undertaker may reasonably request.

(4) In this article, the “Chilterns Conservation Board” includes any successor body which performs its functions and duties.