

## **Response to North Falls Offshore Wind Farm: Rule 17 – Request for further information – Deadline 6**

**Sir Bernard Jenkin MP (Harwich and North Essex)**

**June 17<sup>th</sup> 2025**

This submission is made in response to the ExA's request to the applicant for further information under Rule 17 of the Infrastructure Planning (Examination Procedure) Rules 2010 (as amended). I am writing as an interested party.

I would like to draw the ExA's attention to the inextricable relationship between the North Falls and Five Estuaries offshore wind farms, and the associated onshore transmission infrastructure, specifically the proposed Norwich to Tilbury project. These projects must be assessed collectively, not in isolation, as the environmental impact of enabling infrastructure falls heavily on the same protected and culturally significant landscapes.

### **1. Connections in Tendring**

It is a matter of record that were it not for the need to connect North Falls and Five Estuaries, there would be no need for the Norwich to Tilbury project to pass through Tendring. This is clearly implied in the Strategic Options Backcheck and Review<sup>1</sup>, which notes (Section 15.4.7) that:

“Only EAS 2 and EAS 3 provide the ability to the contracted Essex Coast Generation Group... by allowing for a new coastal substation.”

Thus, Tendring is being subjected to transformative infrastructure not for local benefit, but purely as a facilitative corridor for other projects.

### **2. National Grid has stated that harm to the Dedham Vale AONB is unavoidable**

It is important to note that National Grid has explicitly acknowledged the impossibility of avoiding landscape harm to the Dedham Vale Area of Outstanding Natural Beauty (AONB) under Option EAS2, stating (Section 12.2.1):

“It is considered unlikely that all of the impacts could easily be mitigated, and significant residual effects are therefore possible.”<sup>2</sup>

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<sup>1</sup> Strategic Options Backcheck and Review, p.123

<sup>2</sup> Ibid, p.88

Furthermore, Section 15.2.6 reiterates:

“It is unlikely that all of the impacts could easily be mitigated. Significant residual effects are therefore possible.”<sup>3</sup>

This is consistent with prior consultations (CPRSS), which found that attempting to circumvent the AONB may cause greater harm due to a longer route affecting more communities and features.

### **3. The Duty to "Further the Purpose" Cannot Be Met**

Given the magnitude of harm acknowledged by National Grid, it is not plausible that the project could meet the legal test to "further the purpose" of conserving and enhancing the landscape under Section 85 of the Countryside and Rights of Way Act 2000 (as amended by the Levelling Up and Regeneration Act 2023).

The Dedham Vale will be subject to:

- Trenching and tunnelling for underground cables over sections up to 500 metres wide, as stated in environmental assessments (Section 12.2.3), impacting Ancient Woodland and irreplaceable habitats.
- The setting together with historic and culturally important views in to and out from the Vale will be irrevocably harmed.
- The experience of visitors to the Vale will be dominated by the need to drive alongside pylons to the North and to pass beneath them to the South to gain entry

These cumulative impacts are directly contrary to the Management Plan objectives of the Suffolk and Essex Coast and Heaths National Landscape.

### **4. The Proposed Substation at Ardleigh Is Fundamentally Unsuitable**

The siting of a major new substation at Ardleigh, directly adjacent to the Dedham Vale AONB would cause unavoidable and irreparable harm to the landscape.

Section 12.2.4 of the Backcheck Review attempts to soften the impacts through route refinement and “detailed assessment.” However, even it concedes that:

“There is the potential for residual significant effects.”<sup>4</sup>

It is clear that this location is inappropriate and incompatible with national planning policy as section 2.9.12 of the current NPS EN-5 states:

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<sup>3</sup> Ibid, p.113

<sup>4</sup> Ibid, p.88

“In nationally designated landscapes... even residual impacts may well make an overhead line proposal unacceptable in planning terms.”<sup>5</sup>

There is also a further requirement in NPS EN-5 to avoid such impacts altogether. Section 2.9.19 makes clear that National Grid must:

“Seek to avoid altogether internationally and nationally designated areas of the highest amenity, cultural or scientific value by the overall planning of the system connections.”<sup>6</sup>

Furthermore, the newly revised draft NPS EN-5 (2024) extends this expectation by emphasising that undergrounding or offshore alternatives must be properly weighed in any nationally designated landscape, and that even where full avoidance is not possible, the highest level of mitigation and justification must be demonstrated. The expectation of protection is further strengthened by Section 85 of the Countryside and Rights of Way Act 2000, as amended by Section 245 of the Levelling-up and Regeneration Act 2023, which imposes a statutory duty on public authorities and decision-makers:

“to seek to further the purpose of conserving and enhancing the natural beauty of National Landscapes.”<sup>7</sup>

Therefore, to proceed with infrastructure at Ardleigh would not only contravene planning policy, it would also violate statutory obligations under primary legislation.

Therefore, the substation must be relocated to a site that does not directly compromise the Dedham Vale AONB or its setting.

As a consequence of this planning constraint, the Norwich to Tilbury corridor itself must be reconsidered. Previously discounted alternatives such as HVDC undergrounding and offshore routeing (e.g. ESO Option 8<sup>8</sup>) given meaningful weight. HVDC, in particular, would very significantly reduce impact when compared to AC, through a far smaller footprint and elimination of pylons, making it a clear opportunity to deliver essential transmission infrastructure without breaching protected landscape designations.

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<sup>5</sup> NPS-EN5, p.18 <https://assets.publishing.service.gov.uk/media/65a78a5496a5ec000d731abb/nps-electricity-networks-infrastructure-en5.pdf>

<sup>6</sup> Ibid, p.16

<sup>7</sup> Countryside and Rights of Way Act 2000 (section 85)

<sup>8</sup> East Anglia Network Study: [REDACTED]