NEW FOREST NATIONAL PARK AUTHORITY

PLANNING DEVELOPMENT CONTROL COMMITTEE MEETING – 15 JULY 2014

NAVITUS BAY OFF SHORE WIND PARK DEVELOPMENT
NEW FOREST NATIONAL PARK AUTHORITY LOCAL IMPACT REPORT

Report by: David Illsley, Policy Manager

Summary:

The Government’s Planning Inspectorate has received an application by Navitus Bay Development Limited for the development of a large scale wind park off the Hampshire and Dorset coasts. As well as the off-shore wind turbine elements, there is significant on-shore cabling works required and part of this would involve development within the National Park. In advance of the Examination hearing sessions commencing in September 2014, the Authority has been invited to submit a ‘Local Impact Report’ to the Planning Inspectorate setting out what the likely impacts of the development will be on the National Park. While some of the impacts are likely to be short term and mitigation is possible, it is recommended that the Authority’s response highlights the potentially detrimental impacts on the environment and landscape character of the National Park from the development.

Recommendation:

Members endorse the outline of the Authority’s proposed Local Impact Report (LIR) to the Navitus Bay off-shore wind development. The Executive Director Strategy & Planning is delegated to respond to further requests from the Planning Inspectorate during the Examination.

1. INTRODUCTION

1.1 Navitus Bay Development Limited (NBDL) – a joint venture between Eneco Wind UK Ltd and EDF Energy Renewables - has applied to the Planning Inspectorate (PINS) for consent to construct up to 194 wind turbines (with a maximum tip height of 200 metres) off the Hampshire and Dorset coasts. The project would be operational for 25 years. The turbines would cover an area of around 60 square miles and would be 12 miles from the nearest part of the New Forest National Park (Hurst Spit). The project would have a capacity of up to 970 MW, enough to power 710,000 homes per year (equivalent to nearly 50 times the current number of homes in the New Forest National Park). The indicative map (overleaf) illustrates the location of the proposed development.

1.2 As well as the off-shore elements of the project which would be visible from parts of the National Park, the proposals include significant on-shore works. NBDL are proposing a 35 kilometre long on-shore cable route which would run from Taddiford Gap near Barton-on-Sea to a new sub-station adjacent to the existing National Grid sub-station at Mannington in Dorset. The total working width of the cable route would be up to 40 metres and typically the cables would be buried at a depth of 1.2 metres. This on-shore cable route crosses parts of the New Forest National Park north of Hordle, at Bashley Crossroads, then again at Hinton, Burton Common and leaving the National Park at Waterditch, south of Bransgore. NBDL has chosen to underground the onshore cabling to avoid the need for overhead lines within and outside the National Park and
construction would take a number of years. A Grid-connection adjacent to Fawley Power Station was ruled out earlier in the process due to conflicts with the statutory Park purposes - the sub-station (8 hectares in size) would have been proposed to be located within the National Park.

Map of off-shore and on-shore development areas (Source: NBDL Environmental Statement, April 2014)

1.3 Changes have been made to the design of the project since the earlier rounds of pre-application consultation started in late 2011. For example, in February 2014 NBDL amended the proposals to remove a section of the offshore wind park at the northern tip of the proposed site and reduce the maximum number of turbines from 218 to 194 turbines. It should also be noted that the final layout of the project will only be known once the design process has been completed post-consent. At this stage the approach and information available is based on the ‘Rochdale Envelope’, which effectively assumes the ‘worst-case’ scenario.

2. THE PROCESS

2.1 The Planning Act 2008 established the framework for determining ‘Nationally Significant Infrastructure Projects’ such as the Navitus Bay proposal. Set out in the following diagram is an illustration of the key stages in the process. The Navitus Bay application
is currently at the ‘Pre-Examination’ stage, and it is understood that the Examination – which will last for up to six months - is likely to commence in September 2014.

Nationally Significant Infrastructure projects – outline of the application process (Source – PINS website)

2.2 As a ‘Nationally Significant Infrastructure Project’, the Navitus Bay proposal will be determined by the Planning Inspectorate (PINS) on behalf of the Secretary of State for Energy & Climate Change (rather than any of the local planning authorities). The Navitus Bay application was accepted by the Planning Inspectorate on 8 May 2014 and the project has now entered the pre-examination period.

2.3 The Secretary of State must decide whether to issue a Development Consent Order for the project based on an assessment of whether the proposal is consistent with the Government’s National Policy Statement EN-1 (the overarching NPS for energy) and EN-3 (the Statement for renewable energy infrastructure). Set out below are some of the relevant sections from these Statements which are particularly pertinent in considering the Navitus Bay proposal and its potential impacts on the National Park.

- Paragraph 5.9.9 of the Overarching National Policy Statement for Energy (EN-1) confirms that National Parks have the highest status of protection in relation to landscape and scenic beauty - “The conservation of the natural beauty of the landscape and countryside should be given substantial weight by the IPC [now PINS] in deciding on applications for development consent in these areas.”

- Paragraph 5.9.10 of EN-1 states that consent for major development within a National Park may be granted in exceptional circumstances. The consideration of such proposals should include an assessment of the need for the development (including the national need); the impact of consenting on the local economy; the scope and costs of developing outside the designated area; and any detrimental effect on the environment, the landscape and recreational opportunities.

- Paragraph 5.9.11 of EN-1 confirms that the Government should ensure that any projects consented in designated areas such as National Parks should be carried
out to high environmental standards, including through the application of appropriate requirements where necessary.

- Paragraph 2.5.33 of EN-3 states that within National Parks, consent for renewable energy projects should only be granted where it can be demonstrated that the objectives of designation of the area will not be compromised, and any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by the environmental, social and economic benefits.

3. NEW FOREST NATIONAL PARK AUTHORITY – LOCAL IMPACT REPORT

3.1 As a ‘Category B’ authority – meaning a local planning authority within which part of the project is located – the Authority is automatically registered as an ‘interested party’ for the Examination and has been invited to submit a ‘Local Impact Report’ giving details of the likely impact of the proposed development on the area. Set out below is an outline of the main areas that it is recommended the Authority’s response focuses on.

3.2 All nine local authorities affected by the proposals have been invited to submit a Local Impact Report. National Park Authority officers have been liaising closely with colleagues in neighbouring planning authorities to ensure consistent responses where appropriate. Hampshire County Council, for example, will be including consideration of the impact on the highway network in their response as the statutory highways authority. Likewise, New Forest District Council’s Local Impact Report will cover Environmental Health and coastal defence issues given their expertise in these areas.

(i) Need for the Development

3.3 The need for renewable energy Nationally Significant Infrastructure Projects is set out in the Government’s National Policy Statement EN-1. This Statement confirms that the UK has a legally binding target to cut greenhouse gas emissions by at least 80% by 2050, compared to 1990 levels. It is acknowledged that the Navitus Bay project would make an important contribution to mitigating the impacts of climate change and in providing the UK with greater energy security. The UK needs a mix of all types of energy infrastructure to achieve energy security at the same time as reducing greenhouse gas emissions. The energy produced by this development would lower carbon dioxide emissions by up to 1,290,000 tonnes per annum.

3.4 The Authority has consistently supported appropriate renewable energy development where there has been no conflict with the statutory Park purposes. This is highlighted by a number of renewable energy schemes given planning consent by the Authority within the National Park in recent years, as well as the funding allocated to local community projects through the Sustainable Development Fund to support renewable energy.
Need for the Development – Local Impact Report – outline of proposed response

- The Authority acknowledges the significant contribution the Navitus Bay development would make towards reducing the UK’s greenhouse gas emissions.
- The Authority supports appropriate renewable energy proposals where there is no conflict with the statutory National Park purposes.
- However, major development affecting National Parks should only be permitted in exceptional circumstances and where there is a national need. The New Forest National Park is a national designation and is therefore of equal importance to a Nationally Significant Infrastructure Project. Accordingly, alternatives for meeting the Government’s renewable energy targets should be considered before harm to nationally protected landscapes is to be accepted.

(ii) Landscape / Seascape Impact

3.5 National Parks have been confirmed by the Government as having the highest status of protection in relation to landscape and scenic beauty (NPPF, paragraph 115). In addition, Section 62(2) of the Environment Act 1995 places a statutory duty on all relevant bodies, including the Planning Inspectorate, the Crown Estate and statutory undertakers (such as energy providers) to have regard to the two purposes in making decisions that could affect National Parks. This recognises that the fulfilment of the purposes rests with a wide range of bodies, not just the national park authorities.

3.6 The potential impacts of major development - with both off-shore and on-shore elements - on the landscape of the New Forest National Park is a key issue. The natural beauty of the New Forest’s coastline and the opportunities it provides for the public to enjoy the area’s special qualities was a key factor in its designation as a National Park in 2005. The Designation Order for the New Forest National Park was informed by a detailed landscape assessment and the Order cites the stunning views across the coastal salt marshes to the Isle of Wight from Keyhaven and Hurst Point as contributing to the inclusion of this area within the National Park boundary under the ‘natural beauty’ criterion. This stretch of coastline is also popular with visitors to Hurst Castle and the views from the Solent Way to The Needles. As illustrated by NBDL’s own visualisations, the development would significantly impact these views with a portion of the turbines behind the Needles being visible above and stretching westward from the Needles. This would affect both day and night time views, with navigation lights on the turbines being visible at night.

3.7 It should also be noted that Natural England – the Government’s statutory advisor on landscape matters – has stated that they consider the proposal will have an adverse impact on the landscape of the New Forest National Park and the purposes for which it has been designated (Natural England ‘Relevant Representation, 23 June 2014). Natural England has raised concerns regarding the methodology used to undertake the seascape, landscape and visual impact assessment (SLVIA) and they consider that the sensitivity of receptors is underestimated by NBDL for views from the New Forest National Park coastline. NBDL’s seascape and landscape visual impact assessment for the development predicted ‘moderate’ impacts on the New Forest National Park, which they concluded were therefore ‘not significant’ under the Government’s Environmental Impact Assessment regulations.
Landscape / Seascape Impacts – Local Impact Report – outline of proposed response

- As a nationally protected landscape, impacts on the special qualities and landscape of the New Forest National Park are a fundamental consideration.
- The New Forest’s coastline around Keyhaven clearly exhibits the natural beauty and opportunities to enjoy the special qualities required for National Park designation. This proposal could have a significant impact and NBDL must demonstrate how it will conserve and enhance the landscape of the Park.
- The Authority considers that the applicant’s Seascape and Landscape Visual Impact Assessment (SLVIA) underestimates the impacts of the development on the New Forest coastline.

(iii) Onshore Cable Route – Ecology

3.8 As with arboricultural advice (see below), the Authority provides specialist ecological advice for the whole of the proposed on-shore cable route within Hampshire (i.e. within the New Forest National Park and New Forest District Council administrative areas). The general approach to assessing the potential ecological impacts of the Navitus Bay development is to (i) ensure avoidance of impacts wherever practicable; (ii) the application of best practice mitigation; and (iii) enhancement measures to ensure no net loss of biodiversity. Based on the information available from the applicant to date (further survey results are awaited), work to assess ecological impacts seems to be generally appropriate and has adopted industry standard techniques. However discussions are ongoing in respect of assessment of the significance of some local wildlife assets and cumulative impacts at a landscape scale. In addition the avoidance of impacts is reliant on the applicant demonstrating the feasibility of using directional drilling to avoid open trenching across sensitive habitats and designated sites.

3.9 It is likely that there will be some adverse impacts from the development that will result in biodiversity loss and disturbance to species. This includes disruption and short term loss (e.g. 10-20 years) of features such as 3.2 ha of broadleaved woodland within the Park. A total of 2.78 miles or 4,482 m of hedgerow are also within the operational zone of development in the Park area. Of the 52 hedgerow lengths identified, 46 are considered ‘important’ hedgerows as defined by the Hedgerow Regulations 1997 due to their historic nature or wildlife value. It is therefore necessary for NBDL to provide relevant mitigation, compensation and enhancement to achieve no net loss of biodiversity. Discussions with NBDL to date have centred upon effective on site re-planting and habitat management as well as measures to secure off-site restoration and enhancement of habitats. However these are yet to be secured and without careful agreement compensation could occur outside the Authority area. Many of the operational mitigation measures will be secured post-consent as part of conditioned construction management plans which the Authority will be in a position to review, agree and monitor.

3.10 As set out in National Policy Statement EN-1, major projects within nationally designated landscapes should be carried out to high standards with appropriate conditions placed on them. The nine local planning authorities affected by the development in Hampshire and Dorset have therefore put forward a preliminary list of potential mitigation and compensation measures. This includes a call for a contribution towards the role of the National Park Authority in providing land advice across the Park and New Forest District administrative areas to deliver local habitat improvements and ensure NBDL’s commitment to ensuring no net loss of biodiversity is delivered.
The work undertaken by the applicant to assess ecological impacts seems appropriate, although the results of further survey work are awaited this summer. Some adverse impacts on biodiversity from the onshore works are likely and therefore avoidance and mitigation measures are necessary. Where there are residual impacts appropriate compensation and enhancement measures will be necessary. These measures should include contributions to projects delivering appropriate enhancement of habitats. Locally these are normally the result of land management advice. The National Park Authority is well placed to act as a conduit for the delivery of these measures through the existing land advice and ecology service which covers the National Park and New Forest District.

(iv) Onshore Cable Route – Impacts on Trees & Hedgerows

3.11 The on-shore cable route crosses the National Park north of Hordle, at Bashley Crossroads, close to Burton Common near Hinton and leaves the National Park at Waterditch, south of Bransgore (see map). NBDL has stated that they aimed to keep cabling within the National Park to a minimum by only crossing the periphery of the Park and avoiding the Open Forest and protected European habitats. Nevertheless, the construction of a 40 metre wide cable trench across parts of the National Park will inevitably impact on trees and hedgerows along the proposed route. Due to the nature of the cabling, only certain shallow rooted trees can be planted along the central part of the cable route, over the cables buried beneath. This could potentially result in gaps in hedge lines and tree belts, impacting on landscape character and creating a long term change in the landscape along the cable route.

3.12 The Draft Development Consent Order (DCO) prepared by the applicant states that only trees subject to Tree Preservation Orders (TPOs) will be replaced as part of the on-shore cable works. Significant concerns are raised regarding the impact this could have on the landscape of the National Park. The number of trees subject to TPOs along the proposed cable route is low, but there are large numbers of trees/woodlands that merit protection. The Authority would call for trees, areas of woodland and hedgerows that are removed as part of the development to be replaced in situ or nearby at agreed locations. If this is not possible replacement planting should take place elsewhere within the Landscape Character Area.
3.13 In addition, concern is raised regarding the potential impacts of the cable route on areas of ancient woodland. The Danes Stream Coppice near Bashley for example, is an ancient semi-natural woodland identified by NBDL for trenchless crossing/thrust boring. Although this may alleviate impacts above ground, further evidence is sought from NBDL that this technique will not detrimentally disturb the soil beneath the ancient woodland. It is the ancient seed bank and soil structure that is so important in protecting ancient woodland. The Government’s NPPF confirms that development resulting in the loss or deterioration of ancient woodland should be refused unless the need for the development clearly outweighs the loss.

Trees and Hedgerows – Local Impact Report – outline of proposed response

- The Authority objects to the applicant’s commitment to only replace trees subject to TPOs along the cable route. Many of the trees on the route are worthy of protection and the loss of high value trees with no compensatory planting could detrimentally affect the landscape character. Trees and hedgerows that are removed should be replaced in the same Landscape Character Area if planting in situ is not possible.
- Further detail is sought regarding the proposal for drilling under areas of ancient woodland and the potential impacts this could have on the ancient soil profiles and seed bank.
- No visualisations or illustrations have been undertaken for the on-shore cable elements of the project and therefore the loss of trees and hedgerows are difficult to assess for visual impact and change in landscape character in both the short and long term.

(v) Onshore Cable Route – Archaeology & Cultural Heritage

3.14 The on-shore cable works crossing the National Park have the potential to impact on the rich archaeology of the New Forest, as well as also providing an opportunity to
discover more about the archaeology of the area. The Authority’s Archaeologist has liaised closely with colleagues at Hampshire County Council in considering the proposals and the opportunities it provides.

3.15 The overarching written scheme of archaeological investigation prepared by NBDL (April 2014) is considered to be an appropriate basis for the development of mitigation strategies and specific written schemes of investigation for the various phases of the on-shore works. In addition, a strategy for the public dissemination of any archaeological findings is needed to ensure the project contributes towards the public’s understanding of the cultural heritage of the National Park (linked to the statutory Park purposes).

3.16 Although the methodology proposed is considered acceptable, the applicant has not assessed impacts on the Keyhaven Conservation Area which lies within the National Park. In 2011 NBDL were advised by the Infrastructure Planning Commission (superseded by the Planning Inspectorate) in their Scoping Opinion for the development that the applicant’s forthcoming Environmental Statement should consider potential impacts from the development on Conservation Areas, including Keyhaven within the National Park. Despite this, the assessment does not appear to have been undertaken for Keyhaven despite the off-shore wind turbines being visible from the village.

Archeology & Cultural Heritage – Local Impact Report – outline of proposed response

- The overarching written scheme of investigation prepared by the applicant is an appropriate basis to develop archaeological mitigation measures and more site-specific written schemes of investigation for the on-shore works.
- The Authority calls for the development of a strategy to ensure any archaeological findings are available to the public to increase the understanding of the area’s cultural heritage. This could include an interpretation centre at Hurst Castle.
- To date no assessment appears to have been made of the potential impacts of the project on the Keyhaven Conservation Area and this should be rectified.

(vi) Socio-Economic Impacts

3.17 The Authority has a duty to foster the socio-economic well-being of communities living within the National Park. The New Forest attracts approximately 14 million visitor days per annum and is highly valued for the opportunities it provides for quiet open air recreation. Concerns are raised regarding the potential impacts of the development on this local visitor economy. For example, the on-shore works would involve the temporary and permanent closure or diversion of around 1.5 kilometres of the public rights of way network in Hampshire. Also there will be extra pressure on the New Forest’s roads during the construction period as large vehicles will be required to take away excavated soil and felled trees from the cable route and the cables brought to the cable route for installation underground. In addition, there is a concern that visitor’s perception of the New Forest’s coastline from viewpoints such as the Solent Way, Hurst Spit and Hurst Castle could change as a result of this development.

3.18 NBDL’s figures indicate there will be a negative impact on the local tourism economy during the construction phase of the development. These predicted impacts and the disruption to local businesses during the construction phase must be considered against the economic benefits that the proposal could bring to the wider locality, including the potential for around 140 full time jobs at a permanent operation and maintenance port. This would not be on the New Forest coast as none of the marinas are large enough to support the type of infrastructure required. During the peak construction period, NBDL
has predicted that around 1,700 jobs would be supported and NBDL has stated that they will look to maximise benefits to local businesses and workforce in the south coast area.

3.19 NBDL has also entered into agreements with Poole, Portland and Yarmouth ports to undertake feasibility studies to explore how best to utilise port facilities through the construction, operation and maintenance phases of the 25 year development. These studies will assess a range of factors, including the space available at the ports and the depth of water. From the Authority’s perspective, it is important that the feasibility assessment at Yarmouth factors in its links to the mainland via Lymington, with the strategic road and rail connections to Lymington harbour all being through the Park.

### Socio-Economic Impacts – Local Impact Report – outline of proposed response

- The Authority acknowledges the potential of the development to generate local employment. Consideration of these employment benefits must also factor in impacts of the development on the local visitor economy and disruption to local businesses and communities during the construction phase.
- This assessment should include an appraisal of the impacts on the local transport network in the National Park during the construction, operation and maintenance phases of the development (including links to one of the potential ports).
- Access in the National Park (including the Solent Way) is an important means by which the public enjoy the special qualities of the New Forest. The public rights of way network should not be restricted for longer than necessary during the construction phase to ensure impacts on the local visitor economy are minimised.

4. CONCLUSIONS

4.1 National Policy Statements recognise that impacts on a National Park are a key consideration in assessing Nationally Significant Infrastructure Projects. Both the off-shore and on-shore elements of the Navitus Bay project have the potential to impact on the New Forest National Park and the purposes behind its designation in 2005.

4.2 The project could deliver benefits to the region in terms of local job opportunities, together with the environmental aims of reducing CO₂ emissions. A number of the predicted impacts on the National Park – including those related to on-shore ecology and archaeology - are capable to being mitigated/compensated. However, concerns are raised regarding the impact of the off-shore elements of the development on the coastline of the National Park, as well as the impacts on trees, hedgerows and landscape character from the on-shore elements. It is therefore recommended that the Authority’s Local Impact Report highlights these concerns to the Planning Inspectorate.

4.3 Assessment of the information submitted by NBDL started in 2011 and is an on-going process that will continue through the examination process starting in September 2014. Given this, as well as endorsing the outline of the Authority’s ‘Local Impact Report’ response, members are asked to delegate authority to the Executive Director Strategy & Planning to make further responses on behalf of the Authority throughout the process.

**RECOMMENDATION**

Members endorse the outline of the Authority’s proposed Local Impact Report (LIR) to the Navitus Bay off-shore wind development. The Executive Director Strategy & Planning is delegated to respond to further requests from the Planning Inspectorate during the Examination.
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<tr>
<td>Papers:</td>
<td>PDCC Report NFNPA/PDCC 158/14</td>
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<tr>
<td>Equality Impact Assessment:</td>
<td>No issues identified</td>
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<tr>
<td>Resources:</td>
<td>Specialist officer resources will be required during the Examination process. If the wind farm is permitted, the Authority will be required to monitor compliance with conditions in its capacity as planning authority for the Park.</td>
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