

date: 21 July 2023
your reference: n/a
our reference: PE-00169-23
ask for: Sam Dewar
email: s.dewar@dpaplanning.co.uk
DDI: 07799 095613



Council Offices
Priory Road
Spalding
Lincolnshire PE11 2XE

tel: 01775 761161
fax: 01775 711253
www.sholland.gov.uk

Chris Jenner
Development Manager
Outer Dowsing Offshore Wind
FREEPOST ODOW

Sent by email to: contact@outerdowsing.com

Dear Mr Jenner,

Proposal: Statutory Pre-Application and Scoping Consultation to South Holland District Council under Section 42 of the Planning Act 2008 and the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 prior to the submission of an application for Phase 2 of the Outer Dowsing Offshore Wind proposals to include both offshore and onshore infrastructure for a generating station and up to 93 wind turbines at Outer Dowsing Offshore/Onshore, Lincolnshire Coast Line

Thank you for your recent consultation in relation to the above. Sam Dewar of Dewar Planning Associates has been instructed to act as lead officer on behalf of the three Local Planning Authorities consulted (Boston Borough Council, South Holland District Council and East Lindsey District Council) under Section 42 of the Planning Act 2008 and the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 to carry out statutory consultation on the proposed application, including the preliminary environmental information (PEI). An individual response will be provided on behalf of each Local Planning Authority (LPA) detailing how the development within their authority boundary impacts them. This follows a previous EIA Scoping Opinion submission which was submitted at the end of 2022.

Introduction

By way of an introduction, I have previously worked as planning officer through to manager for 14 local planning authorities and have submitted applications, while working in the private sector, in over 100 local planning authorities across the UK. These applications have ranged from large wind farms to large scale residential applications and various small to major scale commercial developments. I have also represented a number of planning authorities acting as lead officer for large scale applications subject to a Planning Performance Agreement (PPA) and I am bound by the RTPI code of professional conduct (as amended in February 2023).



The applicant 'GTR4 Limited (trading as Outer Dowsing Offshore Wind)' intends to apply to the Secretary of State for a Development Consent Order (DCO) under Section 37 of the Planning Act 2008 for the construction, operation, maintenance and decommissioning of Outer Dowsing Offshore Wind, an offshore wind generating station located in the north sea, together with the associated development to connect the generating station to the national grid. From initial discussions it is expected that this will be submitted some time towards the end of 2023.

Each Local Planning Authority are a consultee as part of duty to consult (section 42 of the Planning Act 2008). For an inclusive and robust response an internal consultation process has also been undertaken, seeking internal responses from certain officers, parish councils and Councillors. All consultees have the ability to respond direct to the applicant as part of this process however we have presented any responses received.

List of Consultees

As part of the internal consultation process, the below 34 consultees were contacted for comment:

1. Environmental Health;
2. Forward planning (planning policy);
3. Heritage;
4. Moulton Parish Council;
5. Weston Parish Council;
6. Cowbit Parish Council;
7. Councillor Casson
8. Councillor Sneath
9. Councillor Woolf;
10. Councillor Avery;
11. Councillor Slade; and
12. Councillor Sneath.

The Proposal

For context our understanding of the proposed development is for the installation of an array of wind turbines located 54km offshore, including associated infrastructure such as a cable route offshore, a cable route onshore and the final connection to a substation.

The offshore cable landfall location is proposed at Wolla Bank, south of Anderby Creek. From the landfall location 3 potential routes are proposed to an onshore substation location. The first being an underground cable route located south of the A52 and terminating at the Weston Marsh South Substation (a cable route of up to 80km), the second being an underground cable route located north of the A52 and terminating at Weston Marsh North Substation (a cable route of up to 80km) and the third option put forward as an underground cable route to

the Lincolnshire Node Substation (a cable route of 11km). Whichever final route is chosen, the proposed method of underground cable transmission remains the same, that being cables installed in up to four tranches. The proposal will require a working area of 80m during cable installation and post completion a 60m wide corridor.

The cable route will terminate at one of the three aforementioned substations which will itself include the necessary components for the offshore wind power to be added to the National Grid Transmission system such as an air insulated or gas insulated substation along with control rooms, transformers roadways and hardstanding as well as fencing. Maximum elevations for buildings in the substation are proposed at 19m with lightning protection required for the site standing 30m tall. The indicative substation site area put forward is 180,000m².

All proposed options effect the council differently however this response focuses on the potential impacts on South Holland District Council and in particular the methodologies that the Applicant is proposing to inform their prospective EIA submission which is expected towards the end of 2023.

Planning Policy

Whilst the applicant will seek permission for the proposals directly from the Secretary of State for a DCO under section 37 of the Planning Act 2008, there are still a number of local and national planning policies which are considered relevant and should be taken account of as part of the development process. These plans and local knowledge have been formed over several years and have come from a significant evidence base.

The South East Lincolnshire Local Plan 2011-2036 (SELLP) was adopted jointly by South Holland and Boston Borough Council on the 8 March 2019.

The relevant policies within the South East Lincolnshire Local Plan 2011-2036 are:

- Policy 2 'Development Management' – requires proposals to demonstrate sustainable development considerations have been met through a number of criteria.
- Policy 3 'Design of New Development' – requires development to create distinctive places through the use of high quality and inclusive design, demonstrating compliance with a number of considerations.
- Policy 4 'Approach to Flood Risk' – developments must satisfy the sequential test and be supported by a site-specific flood risk assessment covering risk from all sources of flooding including the impacts of climate change. It must be demonstrated that surface water from the development can be managed and will not increase the risk of flooding to third parties.

- Policy 28 'The Natural Environment' – Requires the protection, enhancement and management of natural assets, by ensuring all development proposals provide an overall net gain in biodiversity.
- Policy 29 'The Historic Environment' - Distinctive elements of the South East Lincolnshire historic environment will be conserved and, where appropriate, enhanced.
- Policy 30 'Pollution' Development proposals will not be permitted where, taking account of any proposed mitigation measures they would lead to unacceptable adverse impacts upon:
 - health and safety of the public;
 - the amenities of the area; or
 - the natural, historic and built environment;
 - by way of:
 - air quality, including fumes and odour;
 - noise including vibration;
 - light levels;
 - land quality and condition; or
 - surface and groundwater quality.
 - Planning applications, except for development within the curtilage of a dwellinghouse as specified within Schedule 2, Part 1 of The Town and Country Planning (General Permitted Development) (England) Order 2015, or successor statutory instrument, must include an assessment of:
 - impact on the proposed development from poor air quality from identified sources;
 - impact on air quality from the proposed development; and
 - impact on amenity from existing uses.
- Policy 31 'Climate Change and Renewable and Low Carbon Energy' - All development proposals will be required to demonstrate that the consequences of current climate change has been addressed, minimised and mitigated.
- Policy 32 'Community, Health and Wellbeing' - Development shall contribute to the creation of socially-cohesive and inclusive communities; reducing health inequalities; and improving the community's health and well-being.
- Policy 33 'Delivering a More Sustainable Transport Network' – reinforces the national approach to promoting sustainable alternatives to the car through new development, making the best use of, and seek improvements to, existing transport infrastructure and services. Solutions that are based on better promotion and management of the existing network and the provision of sustainable forms of travel are supported. To achieve this, a Transport Assessment and associated Travel Plan will be submitted with proposals.

The NPPF was originally implemented in 2012, with the most recent revision being 2019 and an update in 2021. The NPPF sets out the UK Government's planning policies for England and how these are expected to be applied.

The NPPF does not contain specific policies for NSIPs (for which particular considerations apply, determined in accordance with the decision-making framework set out in the Planning Act 2008 and relevant NPSs) but may be considered as a relevant consideration as below:

- Paragraph 119 - Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land. Footnote 47 of the NPPF states except where this would conflict with other policies in this Framework, including causing harm to designated sites of importance for biodiversity.
- Paragraph 120 - Planning policies and decisions should:
 - a) encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside;
 - b) recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production;
 - c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land;
 - d) promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively (for example converting space above shops, and building on or above service yards, car parks, lock-ups and railway infrastructure)⁴⁸; and
 - e) support opportunities to use the airspace above existing residential and commercial premises for new homes. In particular, they should allow upward extensions where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene, is well-designed (including complying with any local design policies and standards), and can maintain safe access and egress for occupiers.
- Paragraph 152 - The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage

the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.

- Paragraph 159 - Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.
- Paragraph 174 - Planning policies and decisions should contribute to and enhance the natural and local environment by:
 - a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
 - b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
 - c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;
 - d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
 - e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and
 - f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

Representations

Each Local Planning Authority are a consultee as part of duty to consult (section 42 of the Planning Act 2008). Responses have been sought internally from department officers, parish councils and Councillors. All consultees have the ability to respond direct to the applicant as part of this process however we have presented any responses received.

South Holland District Council do not have in house specialists or advisers for all topic areas covered by the Preliminary Environmental Information Report (PEIR) therefore the below list of representations sets out the comments and advice received from internal consultees as well as external consultants employed by the Council. Where no comments have been received and no external consultant employed, this response will seek to comment generally on the topic areas where appropriate, however it is acknowledged that comments may be sent directly by the County Council and these will be endorsed by the Council.

As the Council do not have a Landscape Officer, an external company was sought to respond on behalf of the Council. Terra Loci are Landscape Architects and specialise in Landscape Planning.

The comments received from consultees are summarised as follows:

Environmental Health

The Environmental Protection Team have reviewed the following sections and comment as follows:

- 8.1.1 Outline Noise and Vibration Management Plan
Please provide SHDC Environmental Protection with appropriate contact details in event of complaints.
Ensure SHDC EP Team & all relevant Noise sensitive receptors(NSR) in the immediate area are informed of any proposed works outside of normal working hours.
Maintain sound barriers in good order.
Vibration, ensure SHDC EP Team & all Vibration Sensitive Receptors in immediate area are informed of operations such as piling where vibration is likely to exceed 0.3mms and ensure appropriate monitoring equipment is used in vicinity of works.
- 8.1.2 Air quality management plan
Burning of waste should be avoided. Any burning of waste deemed strictly necessary should be undertaken in accordance with the relevant waste management exemption issued the Environment Agency, and consideration should be given to the timing of such burning, and the prevailing weather conditions to impact emissions to air and nuisance to offsite receptor's
- 8.1.3 Outline Soil management plan
Soil stockpiles should be sealed to reduced fugitive dust emissions.
- 8.1.5 Outline Construction Traffic Management Plan
No comments
- 8.1.10 Outline Artificial Light Emissions Management Plan
No comments.

Forward Planning (Planning Policy)

No comment has been received during the consultation period.

Heritage

No comment has been received during the consultation period.

Moulton Parish Council

After speaking to councillors, they have no comments to submit but they would be looking at some sort of compensation for the Parish. Section 106

Weston Parish Council

- The project would be taking up excellent Grade 1 agricultural land for the sub-station site, access road to the site and the areas that would be used for the route of the cabling. Disturbance of the land for the cabling would have a long term impact on the agricultural use of the land.
- Residents in the area affected particularly by the proposed sub-station are concerned primarily by the size and visual aspects of the sub-station and would want to press for screening in the form of trees etc to be carried out at the initial stage.

Cowbit Parish Council

Following Monday evening's Council meeting, Members are happy for this work to go ahead.

Councillor Anthony Casson

No comment has been received during the consultation period.

Councillor Thomas Sneath

I have had a lot of involvement with the consultation from the start as my role as Parish Councillor before becoming a District Councillor, so my concerns & questions have been asked and answered along the way. I therefore do not have any questions or concerns at this time.

Councillor Andrew Woolf

I have nothing majorly to add, but would expect the applicant to be open to a S106 agreement with Parish Councils where the areas are going to be disrupted.

Councillor James Avery

No comment has been received during the consultation period.

Councillor Sally-Ann Slade

No comment has been received during the consultation period.

Councillor Elizabeth Sneath

No comment has been received during the consultation period.

Review of the Preliminary Environmental Information Report (PEIR)

At this stage the following comments are offered in connection with the topic areas as listed. As stated in the aforementioned section, where no opinion has been received from in-house advisors at the Council nor has there been an external consultant employed to provide comment then general observations have been put forward at this stage.

Air Quality

The Council's Environmental Health Officer has reviewed the information put forward and the following comments are provided:

- Burning of waste should be avoided. Any burning of waste deemed strictly necessary should be undertaken in accordance with the relevant waste management exemption issued the Environment Agency, and consideration should be given to the timing of such burning, and the prevailing weather conditions to impact emissions to air and nuisance to offsite receptor's ; and
- Soil stockpiles should be sealed to recued fugitive dust emissions.

Onshore Archaeology and Cultural Heritage

No comments have been received from the Council's Archaeological and Cultural Heritage consultant, however having reviewed the information put forward within the PEIR, the approach taken appears reasonable in the methodology and we have the below comments to offer:

- The Council would expect a detailed landscape and visual assessment for any above ground features and for each to be looked at separately pending the final location and scale of the substation and other large scale above ground features; and
- We would expect a scheme of trail trenching to be included as part of the main planning submission.

Onshore Ecology

South Holland District Council do not have an in-house ecologist and the Wildlife Trust may have chosen to comment directly on the content of the consultation at phase 2, however having reviewed the information put forward within the PEIR, the approach taken appears reasonable in the methodology and we have no specific comments to offer other than the importance of achieving a 10% biodiversity net gain for this proposed nationally significant development, in line with The Environment Act 2021. Lastly, temporary construction works can have a significant affect and we would therefore welcome a full scheme of remediation and reinstatement after these works have been undertaken.

Geology and Ground Conditions

South Holland District Council do not have an in-house geologist and the Coal Authority may have chosen to comment directly on the content of the consultation at phase 2, however having reviewed the information put forward within the PEIR, the approach taken appears reasonable in the methodology and we have the below specific comments to offer:

- Soil management practices may need further evidence and investigation with relation to marine silts.
- Methodologies to prevent silt slurries should be presented as these pose a dangerous environmental risk.

Hydrology, Hydrogeology and Flood Risk

Lincolnshire County Council act as Lead Local Flood Authority and may comment directly to the proposed development. Having reviewed the information put forward within the PEIR, the approach taken appears reasonable in the methodology and we have no specific comments to offer.

Noise and Vibration

The Council's Environmental Health Officer has reviewed the information put forward and the following comments are provided:

- Please provide SHDC Environmental Protection with appropriate contact details in event of complaints.
- Ensure SHDC EP Team & all relevant Noise sensitive receptors (NSR) in the immediate area are informed of any proposed works outside of normal working hours.
- Maintain sound barriers in good order.
- Vibration, ensure SHDC EP Team & all Vibration Sensitive Receptors in immediate area are informed of operations such as piling where vibration is likely to exceed 0.3mms and ensure appropriate monitoring equipment is used in vicinity of works.

Traffic and Transport

Lincolnshire County Council act as highways authority Lincolnshire County Council act as Highway Authority and may comment directly to the proposed development. Having reviewed the information put forward within the PEIR, the approach taken appears reasonable in the methodology and but have the following comments to offer:

- One community liaison person in place for contact with any issues should they arise whilst works are being carried out;
- Consideration of the effect of mud on roads as well as the impact of large load vehicles on roads which are already in a poor state;
- Consideration of works traffic hours in relation to effects on local transport; and
- Construction compounds and field accesses in the countryside can have a significant affect and we would therefore welcome a full scheme of remediation and reinstatement after the cable/works have been undertaken.

Landscape and Visual Assessment

At this stage we do not have details of the final substation location, appearance or extent, however the information as provided for the Phase 2 Consultation has been reviewed by external consultants Terra Loci, with the following comments:

- The landscape and visual receptors and representative viewpoints need to be submitted and approved prior to the assessment being undertaken. Supporting Zone

of Theoretical Visibility mapping should also be provided to ensure that the proposed study area is sufficient.

- The full LVIA methodology, including factors and / or matrices used for determining sensitivity of landscape and visual receptors and magnitude and significance of effects should be submitted and approved prior to the assessment being undertaken. The combination of desk and field-based study can be sufficient to understand the baseline landscape and visual resource, however complete methodologies are required to agree if the method of assessment is sufficient and appropriate.
- All visual representation with any submitted Landscape and Visual Impact Assessment (LVIA) should be in line with The Visual Representation of Development Proposals Technical Guidance Note (TGN) 06/19 (Landscape Institute, September 2019) to ensure the assessment of visual impact is accurate and in turn an appropriate judgement of the assessed impacts can be made. Locations for proposed 'photomontage' visualisations, including visualisation types, following TGN 06/19 should be submitted and approved prior to being undertaken.
- The EIA should include a full assessment of the potential impacts of the development on local landscape character using landscape assessment methodologies. The use of Landscape Character Assessment (LCA), based on the good practice guidelines produced jointly by the Landscape Institute and Institute of Environmental Assessment in 2013 is encouraged. LCA provides a sound basis for guiding, informing and understanding the ability of any location to accommodate change and to make positive proposals for conserving, enhancing or regenerating character, as detailed proposals are developed.
- It is recommended that any development proposal explores and applies the Building with Nature standards and achieves an accreditation to highlight what 'good' looks like at each stage of the GI lifecycle and strengthen the development and demonstrate the development goes beyond the statutory minima, to create places that really deliver for people and wildlife.
- The assessment should refer to the relevant National Character Areas as published by Natural England. Local landscape character areas should be mapped at a scale appropriate to the development site as well as any relevant management plans or strategies pertaining to the area. The EIA should include assessments of visual effects on the surrounding area and landscape together with any physical effects of the development, such as changes in topography and loss or disturbance of vegetation.
- In order to foster high quality development that respects, maintains, or enhances, local landscape character and distinctiveness, the LVIA should consider the character and distinctiveness of the area, with the siting and design of the proposed development reflecting local design characteristics. The Environmental Impact Assessment process should detail the measures to be taken to ensure the building design will be of a high standard, as well as detail of layout alternatives together with justification of the selected option in terms of landscape impact and benefit.
- The assessment should also include the cumulative effect of the development with other relevant existing or proposed developments in the area. A list of proposed

cumulative schemes should be submitted and approved prior to the assessment being undertaken. Cumulative impact assessment should include other proposals currently at Scoping stage and onwards. Due to the overlapping timescale of their progress through the planning system, cumulative impact of the proposed development with those proposals currently at Scoping stage would be likely to be a material consideration at the time of determination of the planning application.

- Operational effects arising from the Onshore ECC and export cable landfall should be scoped into the assessment as there is potential for a loss of vegetation and alteration of the baseline landscape and visual resource which will be longer lasting than the construction phase and the long term effectiveness of remediation and mitigation proposals should be considered. Other potential effects identified are sufficient, pending the submission and approval of full landscape and visual receptor groups and representative viewpoints.

Concluding Remarks

Whilst we appreciate many stakeholders will comment directly to the Applicant on the project, we wanted to provide a robust and inclusive response by giving all internal stakeholders the opportunity to comment that may not be fully aware of the proposals. We have spent considerable time engaging with such bodies and this has encouraged a large range of responses received. We feel that there is a good understanding of the project and we respect there is some time to go before a preferred route is chosen. It is not until this time that the full effects on South Holland District Council can be fully appreciated and therefore commented upon. This response has focused on the proposed methodology for each respective PEIR chapter. It is only when the full EIA submission is made that comments on specific impacts will be made.

We note your community engagement to date however we would welcome future discussions over any proposed community benefits as well as any proposed employment and skills schemes that could be provided to the local workforce as well as any other potential grid infrastructure improvements that may be facilitated by the development.

This advice is based upon the information available at this time. Please note that the advice is given without prejudice to any future comments made by the Local Planning Authority upon the receipt of further information, whether during or before the submission of a full EIA planning application.

If you have any queries, please do not hesitate to contact me on the details provided.

Yours sincerely,

Sam Dewar
Consultant Planning Officer