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Dear Sir

National Policy Statement Public Consultation

The Suffolk Preservation Society (the SPS) is a membership based, non-political, independent, self-funding charity that was established in 1929. Its charitable objects are to promote the conservation, protection and improvement of Suffolk's physical and natural environment for the public benefit by ensuring any change is undertaken sympathetically and to the highest level of design and sustainability possible. The Society represents the Campaign to Protect Rural England (CPRE) in Suffolk.

We are pleased to submit comments to this consultation on Planning for New Energy Infrastructure. In the previous round of consultation on the draft energy NPS (September 2021) we contributed to and supported the responses made by CPRE, the countryside charity. We note the Government's recently published response to the previous consultation feedback; however, in respect of the sections of the current draft NPS which remain unchanged since the September 2021 draft, we continue to object their designation (as is) and ask that the previous comments are re-considered.

In summary the SPS objects to the re-revised NPS as they currently stand. We object in particular to the introduction of the term 'critical national priority' and the use of this new need definition as a policy driver. Whilst the SPS fully accepts the need to decarbonise the UK energy system at speed, predominantly through reducing energy demand and increasing renewable energy generation, the new drafts fail to offer sufficient assurance in respect of improved landscape and other environmental protections, and the better mitigation of community impacts. The bar will need to be raised significantly on both these matters to achieve the social consent required to accelerate planning, consenting and delivery. We welcome the intention to use 'front loaded' strategic network plans to help accelerate consenting and delivery but – as currently set out – both the Holistic Network Design (HND) itself and the way in which it is translated into operational policies is not fit for purpose.

Critical national priority for Offshore Floating Wind

1. Do you agree with the glossary definition for CNP?

No. Whilst we would agree that addressing the climate emergency is a critical national priority, this should not be translated into an uncritical policy direction in favour of offshore wind installations or associated network infrastructure and reinforcement. We disagree specifically on three separate grounds:

- There is already a stated ‘urgent need’ for both generation technologies and network infrastructure as set out in EN-1 (paras 3.3.58 and 3.3.61). To give further weight and direction in favour of one particular technology (OFW/floating wind) and supporting infrastructure is unnecessary, unhelpful and runs counter to the direction of the main net zero energy scenarios (e.g. those of the Climate Change Committee or National Grid ESO’s Future Energy Scenario, FES) which are predicated on a wide range of low carbon technologies. It is crucial that the planning policy that supports each particular technology or approach is tailored to the recognition of its suitability in terms of use (efficacy/sustainability), location and economic efficiency (including avoiding market distortions). To give overwhelming support to one technology is highly problematic and, if nothing else, has not been properly justified;
- There is already a well-established and understood method of weighting need in the planning system and this departs from it in an unhelpful way. The ‘definition’ provided (in reality, the ‘definition’ constitutes new policy) is both too blunt and too broad in its likely application. It is not acceptable to give a general presumption that the need will outweigh ‘any other’ (i.e. all) residual impacts, despite the caveats of ‘in general’ and ‘subject to any legal requirements’. Indeed, the latter caveat implies that the Government recognises it may be ‘skating on thin ice’ in legal terms and that, without amendment, the matter may need resolution in the Courts. We suggest CNP is dropped now;
- The definition of CNP also runs counter to the general balancing principle at the heart of the planning system and more specifically to text throughout the NPS (e.g. EN-1: para.3.3.64 ‘*The delivery of this important infrastructure also needs to balance cost to consumers, accelerated timelines for delivery and the minimisation of community and environmental impacts*’). The overly directive and ‘catch-all’ nature of CNP (as currently defined) also undermines the general presumption in favour of co-ordination set out in detail in EN-5 sections 2.12 and 2.13 and summarised at para. 2.15.1.

2. Do you agree with the new guidance added to draft EN-1, draft EN-3 and draft EN-5 on the CNP for offshore wind, supporting onshore and offshore network infrastructure, and related network reinforcements? Specifically, do you agree that this policy will a. support government ambitions to deploy up to 50GW of offshore wind by 2030, including up to 5GW of floating wind? b. support government objectives to streamline the offshore wind consenting process?

No. We focus first on amended text and policy in EN-1, particularly the section ‘The need for new electricity networks’ (para. 3.3.63ff.). Consonant with our reply to Q1 above, we object to the text introducing CNP in para. 3.3.68 (and cross-referencing to EN-5).

As set out in EN-1 para. 3.3.66, East Anglia is under considerable pressure from new energy infrastructure and associated reinforcement works. Currently this is not properly dealt with by the planning system, including within the Planning Act 2008/NSIP regime. There continue to be significant (negative) cumulative residual impacts of multiple energy projects on local landscapes,

heritage receptors (and/or their setting) and communities because of failure to co-ordinate or to assess linked schemes holistically. The failure of the planning system to deal with – for example at Friston in Suffolk – multiple cable landings (from OFW, interconnectors etc) and the resultant inappropriately scaled substation/converter station complex stands testament the need for urgent reform, in part through the NPS.

Such concerns, among others, inform the approach here of the SPS. To avoid further unnecessary environmental and community impacts in the region, SPS is strongly supportive of co-ordinated solutions and a strategic network approach to planning. This need to be locked in securely by clear directions in the NPS. Although supporting rationale and general encouragement is given in new text to co-ordination (paras 3.3.69, 3.3.73, 3.3.74 and 3.3.77) and is welcome, wide loopholes are then presented in paras 3.3.75, 3.3.76 and 3.3.78. This section should be tightened to give a clearer impression that the presumption is for co-ordination, with few exceptions. Previous summary text was much better (draft EN-1, September 2021: para. 3.3.57) and should be used instead, e.g. *'in light of the potential for unwarranted and avoidable disruption, inefficiency, and visual blight along the onshore - offshore boundary, where possible the preference should be for coordination of onshore transmission, offshore transmission, and offshore generation and interconnector developments. This coordinated approach is likely to provide the highest degree of consumer, environmental, and community benefits.'*

Para. 3.3.75 is particularly problematic. Text elsewhere (including in the HND) highlights that co-ordination solutions may be more expensive (in terms of per scheme capex) but are readily justified on the basis of reduced network constraint costs. The OCP Phase 1 report (cited in para. 3.3.73) also revealed further significant benefits – both economic (reduction in overall capex) and in terms of land take – of a stronger co-ordinated approach. SPS wish to see an enhanced approach to co-ordination. To encourage this, the current phrasing of 3.3.75 should be amended so as to lose the narrow focus on economic efficiency and give positive recognition to the wider benefits of co-ordination (economic, environmental and social/community), reflecting the equal weighting given to these criteria in the HND.

In terms of the specific questions (a/b), SPS believe the policy changes will not help deliver the targets through the envisaged streamlined planning process. In essence, the overly directive approach – embodied in the new CNP needs justification – and the failure to maximise co-ordination opportunities (see also our answers to Q6/more detailed comments on EN-5) will damage public confidence in the planning system (despite a strong desire to see radical action to combat climate change), social consent will reduce and – through increased friction in consenting processes – delivery will not speed up. This is evidenced by the number of judicial reviews that are currently progressing through the courts in relation to wind farm NSIPs; EA1(N) and EA2.

Offshore Wind Environmental Improvement Package

3. Do you agree with the new text included in Section 3.8.103 of draft EN-3 relating to the Offshore Wind Environmental Standards? [Please note we have amended the erroneous reference to Section 2.8.103]

We lack specific expertise in relation to offshore environments so are not commenting in detail in this section. We would however observe that the rationale behind the OWEIP and the OWES is specifically to address speed of consenting whilst offering increased environmental enhancement

(as stated in para.1, p.11 of the consultation covering document). We suggest that further consideration should be given to a comparable package of enhancement measures in respect of environmental net gain (see para. 2.10.8 in draft EN-5) for onshore landscapes and environments. We refer you back to the comments and proposals made by CPRE regarding environmental net gain in the previous round of consultation (September-November 2021). Their proposals, which we still endorse, widened anticipated benefits from transmission infrastructure projects to help smooth their acceptance with local communities, beyond the current narrow focus on biodiversity net gain.

4. Do you agree with additions made in relation to strategic compensation and seeking the views of the SNCBs and Defra Secretary of State in Section 3.8.282 of draft EN-3 relating to the Compensatory Measures? [Please note we have amended the erroneous reference to Section 2.8.282]

We note the headline intentions of the new additions to draft EN-3 and suggest they be strengthened such that developers be required to have early collaboration with Statutory Nature Conservation Bodies (SNCBs) and Defra at the pre-application stage and require that applicants seek the views of the SNCBs and Defra Secretary of State on the suitability, securability and effectiveness of their compensation plans.

We again note the narrow focus on nature conservation and propose that parallel, proportionate measures are included for onshore impacts on landscape and heritage.

Civil and Military Aviation and Defence Interests

5. Do you agree that Section 5.5 of draft EN-1 relating to Civil and Military Aviation and Defence Interests, provides a more balanced and up-to-date view on offshore wind impacts of radar, and represents the needs of different stakeholders accurately?

No comments.

Need for new electricity network infrastructure

6. Do you agree with new guidance added to Section 2.8 of draft EN-5 on the inclusion of strategic planning as a consideration to support the needs case for electricity network infrastructure?

No. In previous comments by CPRE, the countryside charity (informed and supported by the SPS), proposed a package of:

- holistic testing of high-level network design, combined with
- a robust landscape-scale approach to assessing and minimising landscape cumulative impact, and
- provision of environmental net gain (including but not limited to biodiversity net gain)

as the key mechanism for enhancing social consent and thereby increased speed of delivery of low carbon energy generation.

To be successful, and carry community confidence, the strategic planning would need to be both rigorous and transparent, whilst delivering significant co-ordination gains. The current proposals relating to strategic planning, based on the HND published in July 2022, fall well short of what is required.

We believe the HND is seriously flawed, being the product of an almost entirely closed, 'insider' process where industry representation, especially in relation to the TOs (transmission operators) are the main arbiters of feasibility. Put in simple terms, the electricity industry are 'marking their own homework'. There was no public consultation and no involvement of environmental or community stakeholders. Although a stakeholder report was produced (see <https://www.nationalgrideso.com/document/262696/download>), it is entirely opaque in terms of naming those who participated.

It is repeatedly claimed (e.g. EN-1, para. 3.3.72; EN-5, para. 2.13.3; *Powering up Britain*, p.30; consultation covering document, p.14) that the HND and follow-on strategic network plans have and will take into account environmental and community impacts at an earlier stage of planning, thus reducing avoidable impacts. On the basis of the results so far – the HND's final recommended design – we have very little confidence in the degree of co-ordination achieved and thereby the level of impacts avoided. The recommended design only has a gain of three fewer landings – a reduction of a mere 17% on the status quo. This compares with the Offshore Coordination Phase 1 final report quoting '*There are also significant environmental and social benefits with an integrated approach, as the number of new electricity infrastructure assets, including cables and onshore landing points, could be reduced by around 50 per cent.*'. It is also of significant concern to the SPS that most of the infrastructure projects that impact on East Anglia are excluded from HND and thereby from co-ordination, although voluntary participation in the Early Opportunities scheme is an option.

The new guidance in EN-5 places a heavy reliance on the HND as a consideration for consenting, including infrastructure identified in the HND and its follow-on exercises being identified as CNP (para. 2.12.7). Given the limitations of both CNP (identified above) and the HND (our response here), this text must be removed or significantly amended.

Consideration of network design, based on the HND and network plans that will follow, forms a substantial part of the new guidance (paras 2.13.1-2.13.4) and thus will be highly determinative of projects that will be brought forward for consenting. This would be acceptable if the strategic network planning (i.e. the HND) had been carried out in a more rigorous and transparent manner, subject to the standard consultation processes. But it clearly has not.

A criticism raised internally in the Pathway to 2030 stakeholder report (*op.cit.* section 4.3, p.13) was in respect of the need for SEA and HRA: '*It was raised that we should consider undertaking a Habitats Regulation Assessment (HRA) and Strategic Environmental Assessment (SEA) for the HND. We sought legal advice on this matter and following careful consideration, we concluded that the HND should not incorporate an HRA and SEA at this stage, due to the risk of the delay. Feedback from a range of stakeholders throughout the process has been for the connection locations and dates to be confirmed as soon as possible. Carrying out a plan-level HRA and SEA would have pushed the timeline well into 2023. The ToR does not require an HND or SEA to be incorporated into the HND. Our understanding is that an SEA or plan level HRA is not required unless the HND becomes more prescriptive or the status of the HND in the planning process is further formalised.*' [emphasis added].

It can also be added that, with the delays in issuing the re-revised NPS, a plan level HRA and SEA could readily have been conducted together with appropriate consultation on the HND.

It is clear that the guidance in revised draft EN-5 explicitly formalises the status of the HND as a consideration to support the needs case for electricity network infrastructure in the planning process. We therefore consider this to be flawed procedurally for lack of proper consultation and testing by SEA and HRA.

7. Draft EN-5 includes a strong starting presumption for overhead lines for electricity networks developments outside nationally designated landscapes, which was consulted on in 2021. Do you agree?

No. Whilst we do not support a presumption that overhead lines (OHL) outside of national designated landscapes should be placed underground, we believe that there should be an increasing expectation that new OHL are a solution of last resort, with a hierarchy of alternatives and mitigations to be applied via new guidance – an updated version of the Holford Rules. This is pertinent to Suffolk where two new transmission lines: East Anglia Green and Bramford to Twinstead are currently being consulted upon. New guidance should prioritise alternative routing/provision arising from offshore grids/offshore cabling solutions, onshore co-ordination, rationalisation of existing routes/lines, alternative pylon design, significantly enhanced screening and mitigation/net gain opportunities (based on learning in NG's Landscape Enhancement Initiative, part of the VIP project) and a preference for novel cabling technology including HVDC and emerging superconductor technology (see <https://smarter.energynetworks.org/projects/10027601/>).

We also believe that an enhanced approach to onshore mitigation through the above proposals, combined with or as part of a wider, landscape scale environmental net gain approach has the potential to bring significant dividends in terms of community acceptance and hence ease of consenting.

8. Do you have any comments on any aspect of the draft energy NPSs or their associated documents not covered by the previous questions

EN-3 Commercial solar

The policy should be strengthened to ensure that a locational hierarchy prioritises brownfield and previously developed land; that best and most versatile land and designated landscapes are developed only in exceptional cases; that environmental impacts including landscape, heritage and visual impacts should be balanced against the requirements for grid connection co-location. New overhead lines from large scale solar schemes to the grid should be considered as a last resort and undergrounding should be the starting position.

SPS accepts that commercial-scale solar will play an important role in the move to net-zero, and that schemes above 50MW capacity will come forward through the NSIP regime. SPS therefore welcomes the introduction of guidance on solar-voltaic generation to EN-3 which was previously silent on the issue of commercial solar. Such schemes are now increasingly impacting large

swathes of countryside and numerous communities - including the proposed Sunnica development in West Suffolk/East Cambridgeshire.

SPS objects to the direction of the policy within EN-3 which appears to be predicated on development of solar schemes on rural greenfield sites. This is unacceptable, especially given the Government's previous commitment to a sequential approach and a 'focus of [solar] growth to be on domestic and commercial roof space and previously used land' (2013 Solar PV Roadmap; 2014 Solar Strategy) and the May 2023 research report *Net zero emission energy scenarios and land use* from the UCL Energy Institute, which evidenced over half of the solar panels required to hit government net zero targets could be fitted on rooftops and car parks.

The East of England including Suffolk is set to bear a disproportionate amount of new solar infrastructure and rural communities tend to bear a greater burden than their urban counterparts. Para 3.10.8 recognises that the scale of commercial scale will have impacts *particularly if sited in rural area*. Therefore EN-3 needs firm direction to a **sequential approach** (contrary to 3.3.9 which states that *the Secretary of State should not use a sequential approach in the consideration of renewable energy projects (for example, by giving priority to the re-use of previously developed land for renewable technology developments)*).

We object to the locational guidance to applicants ('factors influencing site selection and design': section 3.10) which does not provide adequate guidance or protection of the countryside, high value food growing land or protected landscapes. SPS considers that greater emphasis on the use of **brownfield sites** for commercial scale solar should be given within the guidance which advocates solar as being highly flexible and states that land type should not be a predominating factor in the suitability of the site (para 3.10.13 and 3.10.14) - we disagree as this undermines the 'brownfield first' and avoidance of BMV land approach otherwise advocated

We object to the selectional criteria which allows for the use of **BMV land** for commercial solar. Such sites should only be allowed in exceptional circumstances and the guidance (para 3.10.15) in effect removes the protection by allowing for harmful impacts of solar schemes on these land types to be weighed against the very high bar of the energy generating needs of the nation. We urge for a stronger presumption against solar development on **agricultural land of grades 1-3a** and a presumption in favour of brownfield solar. This will reduce landscape impact, avoid loss of productive agricultural land and has the added advantage that the public response to rooftop/brownfield solar is likely to be overwhelmingly supportive, facilitating progress, whereas greenfield schemes often generate resistance and delay.

SPS objects to the presumption that large scale ground mounted commercial solar is acceptable in principle within nationally **designated landscapes** such as the Dedham Vale AONB and the Suffolk Coast and Heaths AONB (para 3.10.86). The starting position should be to conserve the special qualities of the designation which we consider to be incompatible with commercial scale solar schemes which have a major, long lasting and profound landscape impacts.

The inclusion and apparent acceptance of **overhead cabling** within solar schemes (para 3.10.53) will have additional major landscape and visual impacts. This will create further local resistance to large scale commercial ground, frustrating the government's attempts to swiftly meet the nation's net zero goals, and should therefore be a last resort.

The inclusion of **cultural heritage** under the list of impacts, including the potential for solar schemes to impact the setting of designated heritage assets (para 3.10.108 and 3.10.109) is welcome. However, the guidance clearly leads the Secretary of State to weigh the positive contribution of the energy project highly against heritage harm (para 3.3.8). Harm to heritage assets must be given due regard, as required by the Planning 2008 Act.

The practical considerations of irradiance levels and proximity to **grid connection** (para 3.10.50) should not take precedence over all other environmental impacts on people and countryside. A focus on near-grid sites distorts locational choice, placing undue emphasis on commercial feasibility related to costs of connection. It will encourage co-location of multiple energy schemes, including battery energy storage systems as well as energy generation infrastructure (para 3.10.16b and 3.10.37). SPS objects to the promotion of **co-location** on agricultural land as it will concentrate the visual, landscape, amenity, heritage and environmental impacts. Asking applicants to merely “consider” the cumulative impacts, fails to recognise the serious impacts that will be experienced by some communities and landscapes and stronger guidance is required that recognises the negative impacts of co-location. Some solar farms could be made – through ‘good design’ principles espoused in EN-1 – much more acceptable if sensitively located, at the mild expense of longer cabling to the grid connection. Firm direction should be reflected in a sequential approach to manage the negative impacts upon people and countryside and enable a better balance between environmental impacts (including on landscape and amenity), agricultural land quality and distance to grid connection.

The revised NPS increases the average **life span** of a commercial solar farm from 25-30 years to 40 years (para 3.10.140), or even unlimited timescales (para 3.10.142). This will increase the long-term environmental harm, especially for example to the setting of heritage assets. We object to the suggestion (para 3.10.141) that the time-limited nature of a solar development should weigh favourably as a consideration for the Secretary of State as this will result in the harm being given less weight in the planning balance. An upper limit should always be set as a condition of any permission for commercial solar, not least so that changes to future energy needs and advancements in technology are considered at an appropriate interval and that cumulative effects of all energy infrastructure on the communities, landscape and cultural heritage can be properly assessed and addressed.

The SPS hopes that this consultation response will be effective in helping to better balance the requirements for effective national planning policy with the protection of the countryside and those communities who live and work there, and call it home.

Yours sincerely

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