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**By email only:**

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**Suffolk Coast & Heaths Area of Outstanding Natural Beauty (AONB)**

**Partnership response to:**

**National Grid Ventures LionLink Supplementary Non-Statutory Consultation  
8 Sept 2023 to 3 Nov 2023**

These comments are in addition to comments made during the earlier Non-Statutory Consultation from October to December 2022 and are limited to additional material set out in the Supplementary Non-Statutory Public Consultation Sept to Nov 2023.

The proposals, as presented, continue to have potential to have a significant negative impact on the nationally designated AONB. The proposals relate to

- An alternative corridor.
- An alternative landfall site.

The AONB Partnership notes and welcomes the declared vision of the proposals as stated in the previous consultation to:

*improve affordability of energy, enhance energy security and support zero carbon energy.*

**The AONB Partnership**

The Partnership was formed in 1993, it comprises public, private and voluntary organisations who are committed to conserving and enhancing the Natural Beauty of the AONB. The Partnership's role is to act as an advocate for the AONB and oversee the delivery of the AONB Management Plan. The AONB Partnership consists of:

Babergh District Council, East Suffolk Council, Essex County Council, Ipswich Borough Council, Suffolk County Council, Tendring District Council, Community Action Suffolk, Country Land and Business Association, The Crown Estate, Defra, Environment Agency, Forestry Commission, Historic England, National Farmers' Union, Natural England, National Trust, Royal Society for the Protection of Birds,

Suffolk Association of Local Councils, Suffolk Coast Acting for Resilience, Suffolk Coast Ltd, Suffolk Farming & Wildlife Advisory Group, Suffolk Preservation Society, Suffolk Wildlife Trust, WildEast.

**It should be noted that:**

Many of these partners are public bodies or statutory undertakers which have the responsibilities to conserve and enhance the Natural Beauty of the AONB as set out in section 85 of the Countryside and Rights of Way Act (2000). It is anticipated that these partners, and other members of the Partnership, will provide separate consultation responses that reflect these and other interests and responsibilities.

Furthermore, an amendment to the Levelling Up and Regeneration Bill was passed in October 2023 that revised the wording of section 85 of the Countryside and Rights of Way Act (2000). The previously wording stated:

*In exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty, a relevant authority **shall have regard** to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.*

The amended wording states:

*In exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty in England, a relevant authority other than a devolved Welsh authority **must seek to further the purpose** of conserving and enhancing the natural beauty of the area of outstanding natural beauty.*

(Our emphasis)

It is anticipated that the new duty becomes live on 2 Jan 2024 assuming Royal Assent being granted on 2 Nov 2023, as part of the Levelling Up and Regeneration Act (2023).

The AONB Partnership consider this to be a significant change on relevant authorities, including statutory undertakers.

**Suffolk Coast & Heaths AONB Partnership response to the National Grid Ventures proposals outlined in information provided for the LionLink Supplementary Non-Statutory Consultation Sept to Nov 2023.**

The AONB Partnership will restrict itself to commenting on proposals that impact its area of interest, ie those proposals that impact the Suffolk Coast & Heaths Area of Outstanding Natural Beauty and the statutory purpose of AONBs.

The AONB Partnership has formed its view on these proposals from information provided by National Grid Ventures and from other sources, namely:

- Knowledge gained from developing response to previous non statutory consultation responses.
- Information shared by project proposer at working group meetings.
- Site visits.
- Discussion with AONB partners and others with knowledge of the proposals.

**Summary of Suffolk Coast & Heaths AONB Partnership response to National Grid Ventures Supplementary Non-Statutory Consultation Sept to Nov 2023.**

- All proposals should adhere to all relevant policy including that outlined in this response.
- Landfall should avoid the nationally designated AONB due to the potential adverse impact caused by the installation of underground cabling during construction. Parts of the AONB will not be able to deliver its statutory purpose during construction.
- The schemes proposer has only identified landfall sites within the AONB during the non-statutory consultation and the later supplementary non statutory public consultation. This is unacceptable. The justification of these landfall site proposals, leading to major development in the AONB is contrary to national policy.
- Underground cable routes could lead to loss of parts of the AONB's ability to deliver statutory purpose during construction. If the scheme's proposer secure consent to have landfall in the AONB, cables to link to convertor stations should be put underground using methods to minimise impacts on the AONB.
- The preferred location of the convertor station, outside the nationally designated AONB (as outlined in previous consultations), is welcomed.
- The loss of part of the AONB to deliver its statutory purpose during construction is likely to have a negative impact on the tourism industry in the AONB.
- Negative impacts to the defined natural beauty of the AONB, including landscape quality and natural heritage features should be subject to the mitigation hierarchy.
- Impacts will be experienced by users of the coast path and the defined Heritage Coast, and they should be assessed in a similar way to the impacts on AONBs.
- The proposed scheme needs to be considered in combination with other energy projects in the area and cumulative affects should be assessed and a collaborative approach should be taken to minimise negative impacts.

While the AONB Partnership is not responsible for the defined Heritage Coast it has many shared aspirations. Heritage Coasts were set up to protect undeveloped coastline and proposals such as those for LionLink have the potential to negatively impact the defined Heritage Coast qualities. The AONB Partnership considers that any assessment of impacts on the AONB should be mirrored by similar assessments on the qualities of the Suffolk Heritage Coast.

The AONB Partnership promotes the 55-mile Suffolk Coast Path and welcomes the imminent opening of the King Charles III England Coast Path. This will facilitate greater enjoyment of the AONB. The proposals for LionLink are likely to negatively impact people's enjoyment of the AONB during the construction, due to negative impacts on its defined natural beauty qualities.

The Suffolk Coast & Heaths AONB Partnership considers that the proposals need to be determined against the relevant National Policy Statements, Legislation and other relevant policy, plans and guidelines. The AONB Partnership notes that:

- A) The Overarching National Policy Statement for Energy (EN1), paragraph 5.9.9, states:

***Development proposed within nationally designated landscapes***

*National Parks, the Broads and AONBs have been confirmed by the Government as having the highest status of protection in relation to landscape and scenic beauty. Each of these designated areas has specific statutory purposes which help ensure their continued protection and which the IPC [Now Planning Inspectorate] should have regard to in its decisions. The conservation of the natural beauty of the landscape and countryside should be given substantial weight by the IPC [Now Planning Inspectorate] in deciding on applications for development consent in these areas.*

The AONB Partnership considers that to conform to EN1 that the proposed developments should not significantly negatively impact nationally designated landscape.

- B) The National Policy Statement for Renewable Energy Infrastructure (EN-3), paragraph 2.5.33 states:

*In sites with nationally recognised designations (Sites of Special Scientific Interest, National Nature Reserves, National Parks, the Broads, Areas of Outstanding Natural Beauty and Registered Parks and Gardens), 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 by the development, 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.*

The AONB Partnership considers that to conform to EN3 that the proposed developments should not have significantly negatively impact nationally designated landscape.

C) Section 85 of the Countryside and Rights of Way Act (2000) that states:

*General duty of public bodies etc*

*(1) In exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty, a relevant authority shall have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.*

*(2) The following are relevant authorities for the purposes of this section—*

*(a) any Minister of the Crown,*

*(b) any public body,*

*(c) **any statutory undertaker** [our emphasis]*

*(d) any person holding public office.*

As mentioned above. An amendment to the Levelling Up and Regeneration Bill was passed in October 2023 that revised the wording of section 85 of the Countryside and Rights of Way Act (2000). Previously wording:

*In exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty, a relevant authority **shall have regard** to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.*

Amended wording:

*In exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty in England, a relevant authority other than a devolved Welsh authority **must seek to further the purpose** of conserving and enhancing the natural beauty of the area of outstanding natural beauty.*

(Our emphasis)

It is anticipated that the new duty becomes live on 2 Jan 2024 following Royal Assent being granted on 2 Nov 2023, Levelling Up and Regeneration Act.

The AONB Partnership consider this to be a significant change on relevant authorities, including statutory undertakers.

The AONB Partnership considers that National Grid Ventures is a statutory undertaker and subject to section 85 of the Countryside and Rights of Way Act (2000)

- D) The statutory Suffolk Coast & Heaths AONB Management Plan 2018-23 outlines within its 25 year vision for the area that:

*Nationally Significant Infrastructure Projects such as energy production and its associated infrastructure should seek to avoid damage to the natural beauty of the AONB and where this cannot be achieved it should seek to minimise, mitigate and compensate for any residual damage.*

The AONB Partnership considers that National Grid Venture's proposals for development are required to meet the aims of the AONB Management Plan.

The AONB Partnership recognise the Supplementary Non-Statutory Consultation has identified an alternative corridor and alternative landfall site. These alternatives are considered below:

**i) Alternative corridor**

The AONB Partnership notes that a considerable length of alternative underground cable search area runs through the AONB. This section of the AONB is one of the widest sections of the AONB when measured between east and west, ie between landfall and the western boundary of the AONB.

The AONB Partnership considers that:

- a) Given the scale and nature of the construction required for underground cable corridors nationally designated landscapes should be avoided as dictated by national policy.
- b) It encourages the proposer to check the km scale on map 6 'Environmental Constraints Overview: Landscape and Ecology'.
- c) Appropriate compensation, commensurate to the impacts caused, should be paid for negative impacts on the AONB, in a similar manner to ScottishPower Renewables compensation package relating to their proposed underground cables through the AONB.
- d) It notes that undergrounding should be a minimum requirement for mitigation of such a scheme for the operational phase but considers that should undergrounding will have significant negative impacts on the AONB during construction.

**ii) Alternative landfall sites**

The AONB Partnership notes that all the shortlisted landfall location sites are in the nationally designated AONB. It is disappointed that the scheme proposer did not look at alternatives outside the AONB.

The AONB Partnership considers that:

- a) A proposal for a landfall site outside the AONB should have been proposed.
- b) That the AONB is a single entity and that development at this scale will cause harm to the AONB whichever location is taken forward. The AONB's ability to deliver statutory purpose during construction will be compromised.
- c) If a landfall within the AONB is to be taken forward, then the decision should be based on the consideration of several factors that define the AONB's natural beauty: landscape quality, scenic quality, natural heritage features, relative tranquillity and cultural heritage.

The AONB Partnership considers that National Grid Ventures should:

- Cable routes through the AONB should be kept to a minimum.
- Construction methods to underground cables through the AONB should be selected to minimise impacts on the AONB.
- Avoid a landfall site in the AONB.
- If landfall is to be in the AONB, minimise cable routes through it should be kept to a minimum.

### **Socio-economic impacts**

In addition to landscape and wildlife impacts the proposers should consider the impact on the AONB's cultural heritage. The AONB has significant cultural significance including those relating to the works of composers, such as Benjamin Britten, artists such as Maggi Hambling, MW Turner and W Crane, poets such as George Crabbe and numerous photographers including the contemporary Gill Moon.

The AONB Partnership considers that the proposer of the project considers the economic impacts of its project and on the tourism industry and residents' quality of life. Whilst it is not the role of the AONB Partnership to promote the visitor economy, that economy is a vital part of the functioning of a thriving protected landscape The AONB, as a designation, has an important role to play in the tourism industry, that supports over 4,000 jobs and is worth over £250M pa.

The natural beauty and special qualities of the AONB are a key driver for the tourism industry, in particular its landscape quality, tranquillity and natural cultural heritage features.

Furthermore, residents in the AONB enjoy benefits associated with AONB natural beauty and special quality indicators. Resident's quality of life is enhanced by the statutory purpose of the AONB.

Yours sincerely,



Simon Amstutz  
AONB Manager

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