

Suffolk & Essex Coast & Heaths National Landscape  
Saxon House  
1 Whittle Road  
Hadleigh Road Industrial Estate  
Ipswich  
IP2 0UH

8 Aug 2024

By email only to:  
cap.floor@ofgem.gov.uk

Dear Nick Pittarello

### **Consultation on changes to the Initial Project Assessment of the Nautilus Offshore Hybrid Asset**

This response is from the Suffolk & Essex Coast & Heaths National Landscape staff team.

#### **A note on nomenclature**

Areas of Outstanding Natural Beauty, AONB, were rebranded as National Landscapes in November 2023, although the legal designation (and relevant policy), remains Area of Outstanding Natural Beauty. To reflect this change and the extension to the AONB in 2020, the Suffolk Coast & Heaths AONB has rebranded to the Suffolk & Essex Coast & Heaths National Landscape.

The term National Landscape is used in this response refers to the legally designated Area of Outstanding Natural Beauty.

#### **A note on this consultation response**

This Suffolk & Essex Coast & Heaths National Landscape response is submitted by the staff team as it has not been possible to engage with the full Suffolk & Essex Coast & Heaths National Landscape Partnership in the timescales made available for the consultation.

It draws on discussions with key members of the Partnership and information made available from the Ofgem website at:

<https://www.ofgem.gov.uk/consultation/changes-initial-project-assessment-nautilus-offshore-hybrid-asset>

and the National Grid website at:

<https://www.nationalgrid.com/national-grid-ventures/interconnectors-connecting-cleaner-future/nautilus-interconnector>

Suffolk & Essex Coast & Heaths National Landscape response:  
Ofgem Consultation on changes to the Initial Project Assessment of the Nautilus Offshore Hybrid Asset  
(July to August 2024)

This response builds on the previous consultation response by the then Suffolk Coast & Heaths Area of Outstanding Natural Beauty Partnership, now branded Suffolk & Essex Coast & Heaths National Landscape Partnership sent to National Grid Ventures on 22 September 2021.

**Suffolk & Essex Coast & Heaths National Landscape staff team response to Ofgem Questions:**

**Question 1. Does the updated evidence presented on the needs case of the Nautilus project change your prior feedback submitted for the OHA IPA consultation?**

The Suffolk & Essex Coast & Heaths National Landscape staff team or Partnership did not respond to the previous Offshore Hybrid Asset Initial Project Assessment consultation.

**Question 2. Do you think that Ofgem should be considering any other factor for the Nautilus project in light of the material changes in connection location and capacity?**

The Suffolk & Essex Coast & Heaths National Landscape staff team recognise the connection changes as:

Moving the connection location in Great Britain from the isle of Grain in Kent to Leiston in Suffolk

The Suffolk & Essex Coast & Heaths National Landscape staff team consider there to be a material change since the original proposals were made.

Since the Levelling Up and Regeneration Act (2023) became law on 26 October 2023 there is an additional duty on relevant authorities to:

*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.*

Section 245 (6) (a) (A1) of the Act.

The Suffolk & Essex Coast & Heaths National Landscape staff team recognise that, among others, National Grid and Ofgem as subject to the strengthened duty described above.

The Suffolk & Essex Coast & Heaths National Landscape staff team notes that guidance on the strengthened duty is not yet available but notes Natural England's opinion on the strengthened duty provided to the Planning Inspectorate as part of its evidence in the

application for a Development Consent Order for the Lower Thames Crossing. This evidence includes:

*It is anticipated that the government will provide guidance on how the duty should be applied in due course. In the meantime, and without prejudicing that guidance, Natural England advises that:*

- *The duty to 'seek to further' is an active duty, not a passive one. Any relevant authority must take all reasonable steps to explore how the statutory purposes of the protected landscape (A National Park, the Broads, or an AONB) can be furthered;*
- *The new duty underlines the importance of avoiding harm to the statutory purposes of protected landscapes but also to seek to further the conservation and enhancement of a protected landscape. That goes beyond mitigation and like for like measures and replacement. A relevant authority must be able to demonstrate with reasoned evidence what measures can be taken to further the statutory purpose. If it is not practicable or feasible to take those measures the relevant authority should provide evidence to show why it is not practicable or feasible.*
- *The proposed measures to further the statutory purposes of a protected landscape, should explore what is possible in addition to avoiding and mitigating the effects of the development, and should be appropriate, proportionate to the type and scale of the development and its implications for the area and effectively secured. Natural England's view is that the proposed measures should align with and help to deliver the aims and objectives of the designated landscape's statutory management.*

The Suffolk & Essex Coast & Heaths National Landscape staff team consider that the applicant, Ofgem and other statutory authorities need to demonstrate how they are meeting the strengthened duty when proposing the revisions to the proposals and determining any future Development Consent Order.

Yours sincerely

Simon Amstutz  
Suffolk & Essex Coast & Heaths National Landscape manager  
07971 909 649  
simon.amstutz@suffolkandessex-nl.org.uk