

PARISH COUNCIL OF NEWTON-WITH-CLIFTON

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23rd November 2023

Marianne Gibson and Rory O'Brien, Land Managers,
The Morgan and Morecambe Offshore Wind Farms Transmission Assets Team

Dear Marianne Gibson and Rory O'Brien,

Morgan and Morecambe Offshore Wind Farms: Transmission Assets ("the Project"). Statutory Consultation: Thursday 12th October 2023 to Thursday 23rd November 2023 under section 44 of the Planning Act 2008 ('the Act'), and statutory consultation under section 42 of the Planning Act 2008 ('the Act'), and Regulations 11 and 13 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 ('the 2017 Regulations').

Thank you for the letter dated 9th October 2023 regarding the above consultation. The above project has been a standing agenda item for some months and council made representations as part of the earlier non statutory consultation.

However, the previously expressed concerns of members remain and have now determined council cannot support the project. The following points indicate the areas of concern;

A) Statutory and non-statutory consultation.

The Morgan and Morecambe offshore windfarm generation assets and offshore windfarms transmission assets consultation commenced circa November/December 2022 and postcards were sent to some property addresses in Newton-with-Scales. These postcards did not indicate the potential impact of the proposals. Similarly a non-statutory consultation commenced in April 2023 and again postcards were sent to some property addresses in Newton-with-Scales with no indication of impact. On the 25th May 2023 council corresponded with Fylde borough council as the host authority (FBC) and Lancashire county council (LCC) with regard to its concerns in respect of renewable and low carbon energy generation development proposals and the singular or cumulative effects on the countryside, the character of the landscape, townscape, visual amenity, and the adverse impact on local residents arising from noise and other public nuisance issues with consequential loss of amenity.

It was anticipated both authorities would be demonstrably involved in this matter and participate in an informative consultation event and presentation including parish and town council representatives, FBC planning members and officers, LCC planning members and officers, local MPs, external planning consultants specialising in Nationally Significant Infrastructure Projects (NSIP) projects, land agents with expertise in these matters and representatives from Morecambe OWL and Morgan OWL. During the non-statutory consultation phase the council was denied a requested a consultation event in the parish.

The cumulative impact within the parish, the wider Fylde area and across the boundary in Blackpool, Wyre and Preston was already a cause of concern being expressed by members and parishioners and concerns remain notwithstanding the information presented at a meeting on Thursday 1st June 2023 by the Morecambe Offshore Windfarm project team. A subsequent Transmission Assets project consultation drop-in event was arranged at Newton, Clifton & Salwick Village Hall, on Thursday 26th October 2023. The statutory planning authorities did not engage in the consultation and have not provided any indication of ongoing communication with the developer(s).

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At the consultation events the project team were unable to provide definitive answers to residents questions and in the absence of representation from the statutory planning authorities attendees did not receive requested advice and technical information that would be transparently independent without any perception of bias, predisposition, or predetermination with information regarding the proposal, land reinstatement and developer contributions towards mitigating the impact of what might be considered unacceptable developments to make them acceptable in planning terms.

Members remain perplexed that both FBC, as the local planning and host authority, and LCC county planning authority have been conspicuously absent in taking a pro-active role in consulting with its constituent parish and town councils, particularly those significantly affected by the proposals relating to the indicative onshore substation search areas and the indicative 70 metre wide (extended to 180 metres in specific locations) permanent onshore export cable corridor and grid connection area.

The designation of areas suitable for wind energy development requires community support and there is a perception that to date the consultation process has been flawed and inadequate i.e. it is asserted that the initial notification by postcards and subsequent information packs were not distributed effectively in the parish and did not indicate the potential significant impact on the village of Newton-with-Scales and the wider parish area. Information, particularly regarding substations has been imprecise, vague, and therefore potentially misleading. The requirement for onshore substations was only obtained by attending consultation events in other areas.

The location of the substations initially proposed was only obtained by attending consultation events in other areas, not from documentation, postcards, or any on-line content. As a consequence of a perceived lack of information members and parishioners considered it difficult to substantively influence policy in both the statutory and non-statutory consultation phases relating to the proposals and based on information made available to date the parish council certainly cannot support the indicative onshore substation search area.

There are several proposed energy projects, solar and wind, at various pre-application stages of consideration that combine to significantly impact on Newton-with-Clifton parish, the Rural East ward of Fylde and the Lancashire county council Fylde East division. The singular or cumulative effects on the countryside, the character of the landscape, townscape, visual amenity, and the adverse impact on local residents arising from noise and other public nuisance issues result in a loss of amenity. It is recognised that while each application must be assessed on its own merits, and that none have been implemented to date it is unclear whether implementation of one affects whether other proposals will receive necessary development consents and permissions.

Therefore it is considered both the statutory and non-statutory consultations have not been conducted to the required standard necessary for the host authority to issue an adequacy of consultation (AOC) representation to facilitate a Development Consent Order application being progressed by the planning inspectorate. Members, parishioners, and other members of the public have raised concerns or issues about the quality of the developer's consultation during the pre-application stage. It is understood that the process requires that these concerns be raised with the local planning authority as the host authority. The host authority is required to submit an AOC representation and will be requested to append any correspondence received about the developer's consultation from members of the public or others to the AOC representation if they consider it could be useful to the Secretary of State for Energy and Net Zero (SoS) in determining whether to accept the application for examination. The following specific points are submitted to indicate the concerns expressed relating to a consultation process that is widely perceived as flawed.

i) Given the lack of information for the exit route of the 400kv cables and the two different options for the Morecambe substations, the consultation has not met the necessary standards for it to be effective (EN-5, Horlock Rules, Rochdale Envelope case law). The date when the choice of options and cable exit route will be announced is unknown. This point was raised with the developer at the Thursday 26th October 2023 public consultation and is key information to enable informed observations to be made by those participating in the consultation.

ii) The maps provided to landowners by land agents (bearing the Morgan & Morecambe and Dalcour Maclaren markings) were of a higher level of granularity than those provided to the general public.

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This level of detail was necessary to assess the impact and it is considered the maps should have been available to the general public, as previously requested by parish representatives, as it facilitates better identification of sight lines when compared to the map shared on the website. All parties should have been given the same consultation information.

At the public consultation event held on Thursday 26th October 2023 a representative of the developer directed enquiries towards a consultation map on display, however, to access this requires personal registration, it has been contended that the map has been off-line for periods and when available is very difficult to navigate.

iii) The visual receptor photographs are inadequate and fail to give residents a perspective on what the visual impact of the substations will be. A significant concern of members is visual impact; therefore an artist impressions or scale diagrams should have been available, as previously requested by parish council representatives, to illustrate the extent, and the likely impact, upon visual amenity, leisure, recreational, biodiversity value, tree cover; and the scope for effective mitigation measures. In response to related enquiries the developer has indicated that it is not yet known whether the substations are to be air cooled or gas cooled. The two options affect the scale and size of the substations and illustrations of the two options should have been available. It is unclear what the coloured lines on the photographs signify in terms of the colour, height, and scale. Internet searches fail to provide examples of substations in close proximity to residential property, population density, and schools. Parishioners, school staff and pupils will be subjected to noise and disruption which in some cases could be unfavourable to their health and education.

iv) The RAG system used in the down select from 4 zones to 1 zone is perceived as a presentation of a predetermined answer with Zone 1 being selected as being the only option with no reds when the others get two. On the non-statutory consultation there appeared to be an access track in Zone 1 on the map that has still to be explained by the developer. Residents are concerned that no information has been made available which identifies how the route selection from landfall to Penwortham and the substation search zones were defined. It is generally considered they are based on the least cost and therefore most profitable options.

v). Members and parishioners considered the non-statutory consultation contained information that was vague regarding the substations, as was information distributed to residents. The parish council had to insist on a presentation to residents given the potential importance and impact on Newton-with-Scales as a small rural village. The leaflets delivered to the public to inform them of both the non-statutory and the statutory consultations have all been in a format that could easily be perceived as “junk mail” to be readily discarded and did not give residents adequate indication of the scale of the proposed infrastructure coming to the area. All materials delivered to the public are the same from Isle of Man to Penwortham with no communications material targeted at the impact on specific communities, and no meaningful information on noise, vibration, electromagnetic radiation, and light pollution for residents of local communities.

vi). There is minimal information of the impact on the community during the build stage of the project, measurable in years. The consultation seems to concentrate on the “as implemented” characteristics of the project and omits the development consequences on, among others, the local transport network and traffic flows (site access points have not yet been chosen), noise from traffic building, piling, trenching etc.

vii) The On-line and printed feedback form for the consultation is, to say the least, onerous, so vast as to be overwhelming and generally considered inaccessible for most people. Linking feedback to all the various elements of the PEIR is designed in such a way that it may make things easier for the project, but works as a disincentive for the general public to give their feedback and obtain the detailed information that of interest locally e.g. potential access points to the construction sites.

B) Need for low-carbon and renewable initiatives is understood, however the locations in Zone 1 for the two substations are considered inappropriate.

i). RAG survey ratings are considered to be contradictory, inconsistent, incorrect factually and subjective;
a) High Pressure gas main. The high-pressure gas main only touches the extreme eastern edge of Zone 2, this could be managed. This is not made clear.

b) Flood Risk - Inspection of Flood Zone maps shows there little difference in flood risk between Zones 1 and 2. This is not made clear.

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c) Zone 1 and Zone 2 are roughly equidistant from a Site of Special Scientific Interest (SSSI) and so not a factor to differentiate siting as claimed.

d) Bluefield solar farm development is in Zone 1 and not in Zone 2.

e) Inconsistent treatment of wild life concerns and surveys. Limited number of ornithological surveys used to inform RAG selection process for sites.

f) Zone 1 lies within Kirkham/Newton Area of Separation and Fylde borough council Green Belt. This is not weighted appropriately in the RAG.

g) Proximity to residential development is not factored in the RAG selection assessment for Zones.

RAG evaluation of the 4 zones indicate none are on poor agricultural land. Given that food security is also important why were alternatives, including brownfield sites, not an option?

This point was also raised with the developer at the Thursday 26th October 2023 public consultation and it elicited the developer response that given the prevailing constraints no alternatives were large enough. Members consider this statement should be evidenced. Given that it is not yet known if the substations are to be gas or air cooled, and given the importance of securing the correct locations, it is reasonable to request that expert assurance is obtained that demonstrates the preferred location has been properly evaluated and it is evidenced that there are no suitable poor quality/brownfield sites, enterprise zones or areas of lower population density between landfall and Penwortham. Consultation documentation makes statements that are also of significant concern relating to the cable corridor widths and trench depths. As part of the suggested expert assurance trenchless technologies need to be assessed in preference to excavating farmland and grazing land. When cables are coming from offshore, and notwithstanding the associated ecological impacts it is considered an assessment should be made of cable installation beneath the River Ribble before connection at Penwortham with an evaluation analysis compared with the existing proposal that adversely impacts food production and security. On the National Grid Pathway to 2030 it was presumed the route would be south of the River Ribble. This lower population density route has been set aside and the north River Ribble route, with all of the complexities of having more commercial facilities, being more densely populated, together with equestrian, farm, and industrial facilities, has been chosen. It is necessary to be able to visibly demonstrate the rationalisation for this decision (e.g. community and environmental constraints, financial benefits etc). A suggested alternative is to expand the footprint of the existing Penwortham substation to accommodate new feeds and therefore require less acreage due to use of existing infrastructure. Land in Penwortham was specified in search Zones 3 & 4. There is great concern within the local farming community about the impact and future viability of farms in Zone 1 and it is unclear whether the viability of farms has been taken into consideration. It is claimed that significant loss of pasture land to dairy farms in Zone 1 will make at least one farm commercially unviable with consequently adverse socio-economic impact.

It is considered the RAGs are flawed in that they only appear to interpret the effect on certain landfall routes for the prevailing parameters. An analysis of mitigation schemes, and their costs, that could change the RAG profile (red to green, amber to green etc) of landfall, route and substation location zones is consequently omitted. This should be arranged and made visible to justify the chosen landfall, route, and substation locations. It is stated that land within an 8 kilometre radius of Penwortham substation was considered for the siting of the 2 substations. What was the rationale for 8 kilometres?

1) Are there any regulations or guidelines that mandate or suggest this distance be used?

2) The siting of substations splits the cabling transmission assets into 2 runs. One from landfall to the substations, and the other from the substations to Penwortham. All variables being equal, which is the most expensive per kilometre? Landfall to substation or substation to Penwortham?

3) To what extent, if any, is the chosen distance (8km) from Penwortham influenced by any economic considerations emanating from question 2 above?

4) When choosing 8km as the maximum distance for substations from Penwortham was it realised, and/or considered, that this left large areas of relatively unpopulated areas between landfall and the recently down selected areas for the substations unexplored?

5) The areas selected near Newton and Kirkham are the most densely populated areas of the Fylde other

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than Lytham St Annes on the coast. There is also potentially good road access. Have economic considerations of convenient road access overridden any concerns for effects on residents during both construction, and after commissioning? How have these issues been addressed with regard to benefits to the applicant?

ii). The character of Newton-with-Scales as a small rural village will be irreparably damaged if consent is given for the proposed development. The character of the village which should be protected was outlined by Fylde Borough Council in its opposition to the residential development at Woodlands Close. This initiative will have a greater impact. There are four Grade 2 listed heritage buildings along Grange Lane to the south of Newton-with-Scales. This would be a major change adversely impacting a rural setting by being surrounded by an industrial landscape. Some listed buildings will have an uninterrupted line of sight to the south substation option. The main footprint of the village will be reduced by the substations, and the construction phase will impact on the lives of villagers for a number of years. The AOS in the Fylde Local Plan was to help protect the character of the village. This large-scale industrial energy generation will indisputably have an adverse impact on the agricultural and rural character of the area.

iii). There is a large potential cumulative effect on the village of Newton-with-Scales as the proposal states that the Bluefield solar farm development is accommodated by the selection of substation locations. In the interests of transparent consultation there should have been an outline of the potential Bluefield solar farm on the maps/ diagrams as well. Many residents on the west of the village are potentially viewing a large solar farm, and also windfarm substations with a permanent footprint of 185000m² in total (size of approximately thirty adult size football pitches) and approximately twenty five metres in height, rather than the Best and Most Versatile (BMV) good quality agricultural land they view now. With the 170-acre solar farm on Clifton Marsh and the expansion of Westinghouse in Clifton and other solar farm developments the area appears to be disproportionately affected. The map below illustrates the point, with Newton-with-Scales outlined in green. The Red lines are existing pylon and overhead cable routes. Existing solar farms and nuclear sites in pale blue (with potential expansion), new proposed solar farms in dark blue, and the substations in orange and yellow. Depending on the option chosen for the Morecambe substation (south or north) one yellow and orange box will no longer be relevant.



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iv). **Amenity**. The consultation has not explained how existing bridleways and public rights of way and access tracks used by many residents will be impacted - is access to be permanently or temporarily denied or restricted? Many parishioners use Parrox Lane, Thames Street, Lund Way bridleway and other routes for their recreational exercise, dog walking etc. The increased type and volume of heavy goods vehicle will severely impact the existing recreational use.

v) The RAG status used to down select the zones only takes into account the present flood levels zones. The Climate Change flood zone map for 2030 shows the southern Morecambe substation option in large part to be below the annual flood level. Given the operational life of the substation the RAG status should not be green. Given the long-life span of the proposed developments, the available flood level predictions for the next five decades should be used.

C- Mitigation measures to make what is considered an unacceptable development acceptable in planning terms - items below are potential conditions for considerations in the event of a development consent order (DCO) being granted.

i) If an application is eventually progressed and the SoS is ultimately minded to grant the proposal a DCO the consequential harms must be mitigated to best practice standards to make what is considered an unacceptable development acceptable in planning terms. Moreover, there must also be effective timely enforcement action if any of those standards are breached. However, some may well influence the investment decision time-lined for 2026. For example the future cost saving option of moving to overhead pylons rather than underground cables. Therefore such significant changes must be guarded against and it should be specified that such proposals will require a whole new application.

ii) Visual amenity - there is mention of some replacement of hedges and additional planting. There are trees and hedgerows that should be protected. The screening required will need to be effective. Heritage assets in the village will have their setting impacted which requires careful consideration in terms of the size and species of trees used for screening. Specified screening needs should be properly mandated with timeframes for installation. How will the large, tall permanent buildings be clad if gas cooled substations are selected?

iii) It is forecast that heavy goods traffic will increase by 530% on the A583 and 581% on the A584 for a significant period of time. It would appear when reading the high-level timelines that construction will last two years, but the detail indicates, even if delivered in a timely manner, the project will take five years.

Working hours are specified as weekdays 7am - 6pm and Saturday 7am -1pm with an hour at either side for vehicles to arrive or depart. It should be specified before commencement where the vehicles queue outside the specified timeframes and how the noise (particularly when they manoeuvre and reverse) will be monitored? These hours should be shortened significantly in both the morning and evening. Previous developments in the village caused major congestion/disruption and damage to footways and road surfaces. Highway resurfacing at the end of construction needs to be conditioned and mandated to be in place..

iv) Electromagnetic radiation, light pollution, noise, and vibration levels for residents generated by the substations should be specified and set at best practice levels. The maximum levels for those residential receptors in close proximity to the substations should be specified with appropriate monitoring and enforcement in place to ensure these levels are not breached. These levels should be identified both during construction and once construction is completed.

v) The potential biodiversity net gain areas do not provide detail of what will actually be required. They need to be properly specified with some measurable and enforceable results. The protection of existing ecology on the surrounding land needs to be documented and at least maintained. Equestrian landowners and smallholders are concerned about the welfare of their animals in particular with regard to reduction in grazing land and the impact of major disruption including light pollution, noise and vibration potentially causing stress, spread of plants toxic to certain animals and other health impacts. The biodiversity net gain approach can lead to a loss of green spaces, when there is a failure to deliver ecological improvements biodiversity will be lost overall so it is essential that the governance mechanisms regulating these future gains are watertight. Parts of the biodiversity net gain areas are disconnected from each other. In order to adequately support wildlife habitats and the natural spread of native flora and fauna these areas should be joined together to form corridors.

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vi) Assurances are required should a DCO be granted that future cost saving measures will not mean that the cables no longer go underground but are changed for overhead pylons?

D) Planning agreement.

i) FBC host authority, LCC, Blackpool council, a neighbouring unitary authority and the parish council are consultees in their own right, and the local community is encouraged to participate in the consultation. It is anticipated FBC will give proper consideration to the parish community comments and observation and provide explanations for any decisions inconsistent with parish viewpoint(s). It is important that FBC uses the pre-application process to inform themselves about the application and gather information that will assist in the production of the AOC, Local Impact Report (LIR), written representations and any Statement of Common Ground (SoCG). The planning inspectorate recognises that proactive approach adopted by FBC at this stage is likely to reduce the demand on its resources during the set timescales of the examination stage, e.g. early legal advice could prove helpful during the pre-application stage and could reduce the need for it later in the process. It is anticipated that FBC will be required to liaise with Blackpool council unitary authority and LCC. It is also recommended FBC should consider a planning performance agreement (PPA) with the developer(s), justified by the impact on the resources of the host authority. It is understood that the Planning Inspectorate is, in principle, supportive of a legal agreement between the respective parties. The duration that any PPA is in effect and the scale of support at different stages is a matter for negotiation and is likely to be driven, in part, by the commitments in the DCO, should one be granted by the SoS, in terms of the scale of the ongoing role of the local authority.

Members will be grateful if you will ensure the council's observations are duly considered and recorded and thank you for co-operation regarding this matter.

Yours sincerely,



Clerk to the Council.