REPORT of
DIRECTOR OF PLACE, PLANNING AND GROWTH

to
DISTRICT PLANNING COMMITTEE
14 JULY 2026

Application Number	**25/01022/FULM**
Location	Land East of Bridge Wick Lane, Dengie Peninsula, near Southminster
Proposal	The construction, operation (including maintenance) and decommissioning of an onshore wind electricity generating facility and associated infrastructure, comprising up to 15 Wind Turbine Generators (WTGs), onsite substation, access tracks, underground cabling, temporary construction compounds, temporary concrete batching plant, and landscape and ecological mitigation and enhancement.
Applicant	Dengie Marshes Wind Farm Limited (the 'Applicant' or 'DMWFL'). The Proposed Development is being promoted by DMWFL, a joint development between Naseby Energy Holdings Limited (Naseby Energy) and local landowners including D.J. Fisher (Farms) Ltd., J.D. Mee and Sons Ltd and Parkers of Leicester Ltd.
Agent	Mr Tim Hancock Naseby Energy Holdings Limited.
Target Decision Date	14 July 2026
Case Officer	Michael Johnson
Parish	**SOUTHMINSTER**
Reason for Referral to the Committee / Council	Major Application

1. RECOMMENDATION

REFUSE for the reason set out in Section 9 of this report.

2. SITE MAP

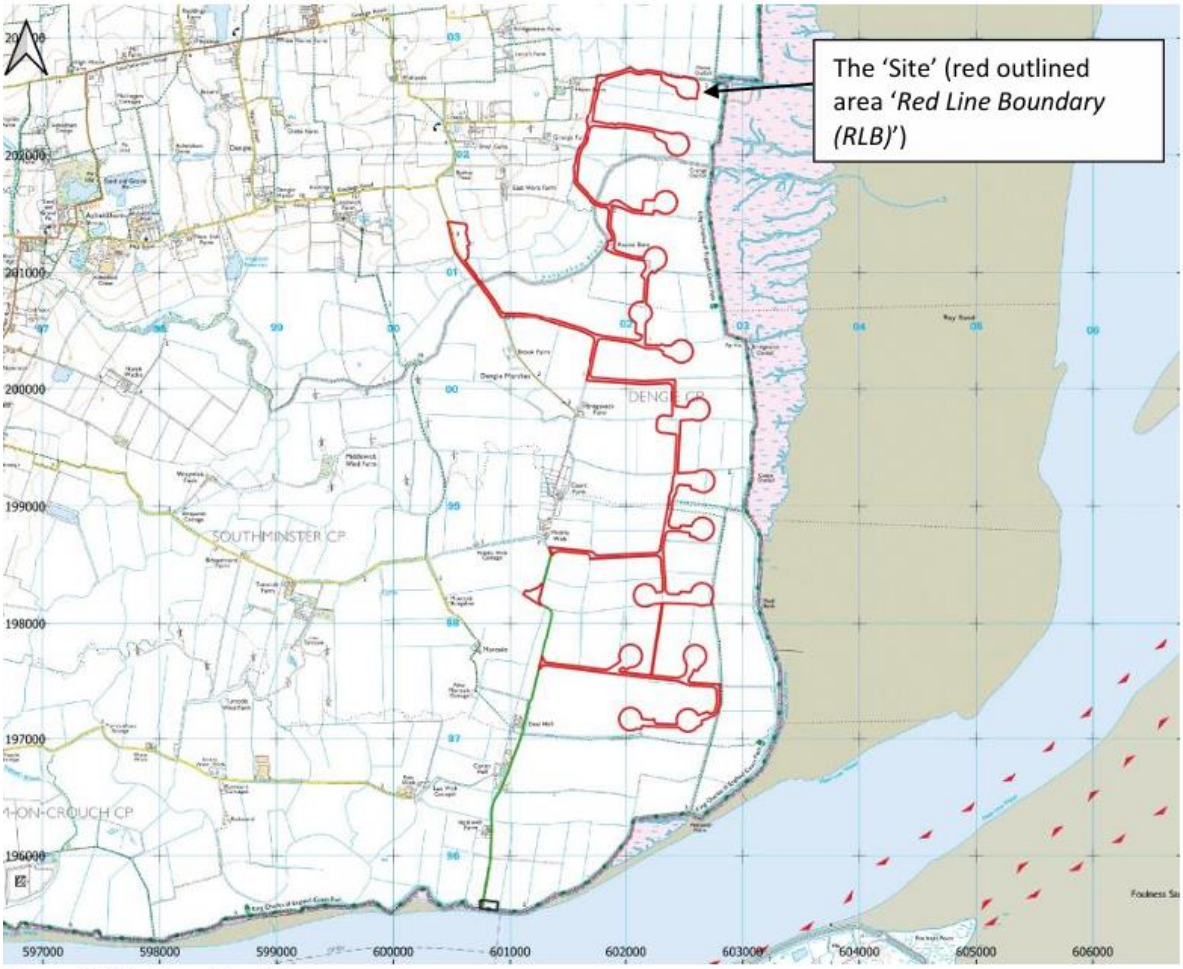

Figure 1: Site Location Plan

3. SUMMARY

3.1 Site and Surroundings

3.1.1 The proposal site is principally agricultural, comprising mostly low-lying agricultural land of a mix of grade 2 and 3 agricultural land (as identified by Natural England's (NE) provisional Agricultural Land Classification (ALC) tool) used for arable crops as well as existing farm access tracks and private roads. The Site is situated in fields of different sizes, some with hedgerows. Farm buildings (including, but not limited to, dwellings, storage areas and barns) and associated infrastructure are interspersed within the Site. Several access tracks serving farming activities run through or adjacent to the Site. Access tracks exist within the Site, enabling light vehicle access between agricultural fields.

3.1.2 Three Public Rights of Way (PRoWs) intersect the Site: Footpath 35 (Tillingham), Footpath 21 (Southminster), and Footpath 11 (Dengie). These routes provide local connectivity across agricultural land and link to the wider network of paths within the Dengie Peninsula. The Asheldham Brook dissects the Site, and a network of man-made ditches and drains exist, which criss-cross the Site and the areas immediately adjacent, typically aligned north to south and east to west. In some of these areas' small sections of reed bed and other wetland habitats are present.

3.1.3 There are very few existing vegetated areas within the Red Line Boundary (RLB), with the majority of land being used for crop production.

3.1.4 The surrounding area comprises arable farmland, shallow creeks, flooded estuaries, low-lying islands, mudflats, tidal salt marshes, and reclaimed grazing marsh. Beyond the arable farmland and the seawall to the east of the Site are extensive areas of saltmarsh and mudflats.

3.1.5 The nearest settlements to the Proposed Development are Burnham-on-Crouch (6.3km west of the Site), Bradwell-on-Sea (4.3km north-west of the Site), Southminster (5km west of the Site), Asheldham (3km west of the Site), Dengie (1.5km west of the Site) and Tillingham (2.5km northwest of the Site).

3.1.6 Towards the northern end, the Site connects to the public road network at Bridgewick Road, which links up with several B-roads including the B1021, B1018 and B1010.

3.1.7 An existing crane hardstanding and access road is located to the southernmost extent of the RLB, on the north bank of the River Crouch. The existing crane hardstanding was originally consented and constructed to enable the development of other nearby wind farms, Middlewick Wind Farm and Turncole Wind Farm. It facilitated the delivery of wind turbine parts by Sea, which are manufactured off site and delivered in several large pieces for assembly and installation.

3.1.8 Three existing onshore wind farms are near the Site. These are Bradwell Marshes (approximately 2 km north), Middlewick (approximately 1 km west) and Turncole (approximately 2 km west). There are also visible offshore wind farms off the coast including those at Kentish Flats, Gunfleet Sands and London Array. Further detail on the interaction between the three existing onshore windfarms and the Site is provided within Environment Statement (ES) Volume 1, Chapter 16: Cumulative Assessment.

3.1.9 Rayleigh Local Substation, the point at which the 132kV electricity export cable from the Proposed Development (which will be owned by UK Power Networks) connects to the wider UK Power Networks distribution network, is located to the southwest of the Site, within the town of Rayleigh which falls within Rochford.

3.2 The Proposed Development

3.2.1 The proposal is for the installation of up to 15 Wind Turbine Generators (WTGs), comprising a total installed wind-generated capacity of up to 108 megawatt (MW) and associated infrastructure (the ‘Proposed Development’). The total proposed installed wind generated capacity, remains provisional at this stage because the design specifications of each WTG has not yet been finalised. Construction is anticipated to commence in 2027 and take up to 18 months, with completion by the end of 2028. The Proposed Development is expected to have an operational life of 40 years and therefore is anticipated to cease operation in 2068 when decommissioning (removal of infrastructure) will begin. Decommissioning is anticipated to take approximately one year however this will depend on the methodology employed at the time.

3.2.2 Delivery of materials will be via road and via the existing crane hardstanding on the River Crouch to the south of the Site, the latter of which was established for a previous wind farm development in the area.

3.2.3 Construction phase components of the Proposed Development include:

- Establishment of a temporary Construction Compound (approximately 15,000m²) including welfare facilities, storage, parking, and security infrastructure.
- Installation of a temporary Concrete Batching Plant (approximately 2,500m²) within the compound.
- Construction of up to 15 WTGs with reinforced concrete foundations and crane hardstanding areas.
- Delivery of turbine components via marine transport to the existing crane hardstanding on the River Crouch, followed by on-site transport using existing access tracks where feasible.
- Construction of site access tracks (up to 6m wide), including turning heads, passing places, watercourse crossings and gates.
- Installation of underground electrical cabling and fibre optic communications between turbines and the substation.
- Construction of an on-site substation compound including transformers, switchgear, control buildings, welfare facilities, and security fencing.
- Implementation of drainage infrastructure and Sustainable Drainage Systems (SuDS).
- Delivery of landscape and ecology mitigation and enhancement measures, including hedgerow planting, field margin restoration, and watercourse buffer zones.
- Reinstatement of land and infrastructure affected by temporary works and demobilisation following commissioning.

3.2.4 During construction, three PRoWs (Footpath 35 (Tillingham), Footpath 21 (Southminster), and Footpath 11 (Dengie)) will be temporarily affected due to the need for safe working areas and movement of plant and materials. An Outdoor Access Management Plan (OAMP) will secure measures to maintain public access, including temporary diversions, clearly signed crossing points, and priority for path users where routes intersect with construction zones. No permanent stopping up of PRoWs is proposed and all diversions will be agreed with the local highway authority to minimise disruption.

3.2.5 Operational components of the Proposed Development, installed during the construction phase, will include wind turbines, substation, access tracks, cabling, and associated infrastructure. During the operational phase, onsite activities will comprise routine operation, servicing, and maintenance of plant and equipment. Non-routine operation activities will include those activities such as non-scheduled or emergency maintenance. Other maintenance works will include management of access tracks and vegetation.

3.2.6 The Proposed Development will include up to 15 WTGs with a maximum tip height of 200 m, rotor diameter up to 175 m, and hub height up to 119 m. The total installed capacity will be up to 108 MW. Each WTG location will be subject to a 10m micrositing allowance in all directions to accommodate environmental and geotechnical constraints identified during detailed design or construction.

3.2.7 To comply with aviation safety requirements, some turbines will be fitted with medium-intensity red lighting (2000 candela) on the nacelle. Lighting will be spaced in accordance with regulatory requirements. Discussions with National Air Traffic Services (NATS) are ongoing regarding the potential use of an Aircraft Detection

Lighting System (ADLS) to monitor the airspace and reduce unnecessary blinking and light pollution.

3.2.8 A substation compound will house transformers, switchgear, cabling, and other necessary infrastructure. The indicative size of the substation compound is 5,000m², with a maximum building height of approximately 10m above ground level. Security fencing will be up to 2.5m high, and the compound will include welfare facilities, storage, and parking.

3.2.9 New access tracks will be constructed, and existing tracks upgraded where necessary. Tracks will be up to 6m wide (on straight sections) with compacted aggregate surfacing and capping material up to 400mm thick. The layout is shown in the Layout Plan. Tracks will not be impermeable paved surfaces. The permanent site area will be secured with vehicle gates at existing private road crossings. The Temporary Construction Compound will include security fencing, gates, CCTV and motion sensor lighting.

3.2.10 Use of the existing crane hardstanding on the north bank of the River Crouch will enable delivery of WTG components by barge, avoiding significant road upgrades that would otherwise be required for Abnormal Indivisible Loads (AILs). Where possible, this existing infrastructure will be reused to minimise disruption and environmental impact.

3.2.11 On-site cabling between WTGs and the substation will be installed underground, typically adjacent to access tracks, with suitable physical protection and cable markers. The total length will be confirmed during detailed design.

3.2.12 An off-site cable route will connect the Proposed Development to the National Grid at the Rayleigh Local Substation. This connection will be installed by the Distribution Network Operator (DNO) UK Power Networks (UKPN) and does not form part of this planning application. The ES considers indicative assumptions regarding potential construction effects of this off-site connection.

3.2.13 Concrete for construction will be supplied from a temporary batching plant located within the Temporary Construction Compound. The plant will have a footprint of approximately 2,500m² and will not remain in place for more than two years.

<u>Landscape and Ecology Mitigation and Enhancement</u>

3.2.14 The Development proposes to incorporate a range of mitigation and enhancement measures designed to reduce and offset potential impacts on landscape, biodiversity, and ecological features within and around the Site. These measures will be implemented both on-site and off-site, particularly to address potential effects on nearby designated sites that support mobile species such as non-breeding birds.

3.2.15 On-site actions will be guided by the project's commitment to achieving at least 10% Biodiversity Net Gain (BNG), in line with the Environment Act 2023 and measured using the Department for Environment, Food and Rural Affairs (DEFRA) Statutory Metric. Measures will include:

- Managing arable field margins to create grassland buffer strips with greater structural and species diversity.
- Establishing scrub areas in field margins and corners to provide habitats for birds, mammals, and reptiles.

- Restoring and enhancing ditches and watercourses, including buffer zones and vegetation management to encourage emergent and bankside plant growth.
- Restoring, reinstating, and creating hedgerows to establish a stronger network across the Site, improving habitat connectivity and provision for a wide range of species.

3.2.16 Off-site habitat creation and enhancement will complement on-site measures by mitigating potential effects on nearby designated sites. Opportunities are being explored along the north bank of the River Crouch and could include:

- Converting arable land to grazing grassland, managed to establish diverse habitats such as wet grassland and grazing marsh suitable for waders and waterfowl.
- Managing existing pasture to ensure it remains suitable for foraging waders and waterfowl.
- Adjusting crop management and rotation to support complementary foraging opportunities for non-breeding waders and waterfowl.

3.2.17 Decommissioning phase of the Proposed Development after approximately 40 years of operation, the Proposed Development will be decommissioned over an approximately one-year period. Key activities will include:

- Dismantling and removal of WTGs. Turbines will be taken down and removed from the Site for recycling or refurbishment.
- Breaking down foundations and infrastructure. Turbine bases and other above-ground structures (including the substation) will be removed to a depth of around 1m below ground level.
- Cabling at shallow depths (1m) will be removed; deeper cables may be left in place or removed depending on best practice at the time.
- Land will be reinstated for agricultural use or similar, with removal of remaining hardstanding and temporary works.
- Some tracks may remain if agreed with landowners for farming purposes.
- A detailed Decommissioning Environmental Management Plan (DEMP) will be implemented to minimise impacts on amenity, traffic, and the environment.

<u>Consenting Route (UKPN) for the Electrical Connection Cable</u>

3.2.18 The electrical connection for Dengie Marshes Wind Farm will be delivered by UKPN as the DNO and will comprise a 132kV underground cable from the onsite substation (covered by planning application 25/01022/FULM) to a pole adjacent to the UKPN Rayleigh substation.

3.2.19 The installation of the connection constitutes “development” under section 55 of the Town and Country Planning Act 1990 (TCPA) and will therefore require an appropriate consenting route under the TCPA regime, unless authorised via permitted development rights.

3.2.20 UKPN, as a statutory electricity undertaker, benefits from Permitted Development (PD) rights under the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO) (notably Part 15). In progressing the connection, UKPN will need to consider whether those rights are applicable in this case, or whether it is necessary to proceed via one or more full planning applications to the relevant Local Planning Authorities (Maldon, Chelmsford and Rochford).

3.2.21 UKPN will be obliged to consult with relevant Local Planning Authority before undertaking any works.

3.2.22 Given the Dengie Marshes Wind Farm is subject to the Town and Country Planning (Environmental Impact Assessment (EIA)) Regulations 2017, the grid connection is required to be considered in EIA terms as part of the overall project. As such:

3.2.23 The connection works will therefore need to be screened under Regulation 6 to determine whether they constitute EIA development in their own right; and where EIA is required, any associated planning application(s) would need to be supported by an ES in accordance with Regulation 18.

3.2.24 Irrespective of the consenting route ultimately selected by UKPN, the connection is a functionally linked component of the wind farm and is therefore addressed within the wind farm ES as part of the cumulative and in-combination assessment of the overall project.

3.2.25 The decision-maker for any planning application would be the relevant Local Planning Authority(s) under section 70 TCPA 1990, taking into account the requirements of the EIA Regulations where applicable.

4. MAIN RELEVANT POLICIES

4.1 Introduction

4.1.1 The Development Plan comprises the Maldon District Local Development Plan (the "Local Plan") and the National Planning Policy Framework (NPPF).

4.1.2 Policies contained within National Policy Statements (NPS) EN-1 and NPS EN-3 are also considered relevant to the Proposed Development. In April 2025, draft revisions were released, with Draft NPS EN-3 notably including a new section dedicated to onshore wind. It is for this reason that NPS EN-3 has also been considered a material consideration alongside the operative NPS. The 2025 versions of NPS EN-1 and EN-3 came into force on 6 January 2026 and reiterate the urgent national need for significant amounts of large-scale energy infrastructure and new renewable electricity generating capacity. NPS EN-1 sets out the overarching framework for energy infrastructure, including the imperative to transition to low-carbon sources, while NPS EN-3 provide technology-specific guidance for renewable generation and associated transmission infrastructure. Together, they form a cohesive policy suite that supports the deployment of sustainable energy solutions such as onshore wind, reinforcing the strategic alignment between generation, grid connectivity, and national decarbonisation goals. In summary, the material considerations for the Proposed Development include the following documents:

4.2 National Planning Policy Framework (NPPF, December 2025)

- Chapter 2 Achieving sustainable development
- Chapter 4 Decision-making
- Chapter 6 Building a strong, competitive economy
- Chapter 8 Promoting healthy and safe communities
- Chapter 9 Promoting sustainable transport
- Chapter 11 Making effective use of land
- Chapter 12 Achieving well-designed places

- Chapter 14 Meeting the challenge of climate change, flooding and coastal change
- Chapter 15 Conserving and enhancing the natural environment
- Chapter 16 Conserving and enhancing the historic environment
- Chapter 17 Facilitating the sustainable use of minerals

4.3 **Maldon District Local Development Plan 2014 – 2029 approved by the Secretary of State:**

- Policy D1 Design Quality and Built Environment
- Policy D2 Climate Change and Environmental Impact of New Development
- Policy D4 Renewable and Low Carbon Energy Generation
- Policy D3 Conservation and Heritage Assets
- Policy D5 Flood Risk and Coastal Management
- Policy I1 Infrastructure and Services
- Policy E1 Employment
- Policy E4 Agricultural and Rural Diversification
- Policy S1 Sustainable Development
- Policy S7 Prosperous Rural Communities
- Policy S8 Settlement Boundaries and the Countryside
- Policy N1 Green Infrastructure Network
- Policy N2 Natural Environment, Geodiversity and Biodiversity
- Policy N3 Open Space, Sport and Leisure
- Policy T1 Sustainable Transport
- Policy T2 Accessibility

4.4 **Adopted Burnham-on-Crouch Neighbourhood Plan (BOCNP):**

- Policy EN.2 – New Development and Flood Risk
- Policy EN.3 - Enhancement of the Natural Environment
- Policy EN.4 – Renewable Energy
- Policy EN.5 – Access to Renewable Energy Sites from the River Crouch

4.5 **Relevant Planning Guidance / Documents:**

- NPS EN-1 (Overarching Energy) and EN-1 (January 2026)
- NPS EN-3 (Renewable Energy) and EN-3 (January 2026)
- National Planning Policy Guidance (PPG)
- Maldon District Vehicle Parking Standards Supplementary Planning Document (SPD)
- Maldon District Design Guide (MDDG) (2017) SPD
- Maldon District Renewable and Low Carbon Technologies Supplementary Planning Document (adopted 10 May 2018)
- Rochford District: Crouch and Roach Estuary Management Plan
- Net Zero: Making Essex Carbon Neutral. Essex Climate Action Commission (2021)
- Maldon District Council Climate Action Strategy 2021-2030 (Pledge 5)
- Essex Climate Action Plan 2021-2025

4.5.1 In determining the relevance of planning policies across each document referenced above, section 70(2) of the TCPA directs the planning authority to have regard to the provisions of the development plan, so far as material to the application, and to consider any other material considerations, among other matters. This directs the planning authority to consider planning policies within the development plan that are of relevance to the Proposed Development. Because the development plan was approved in 2017 when there was a de facto ban on onshore wind farms, policies that may be interpreted to relate to onshore wind farms within the development plan are afforded reduced weight where inconsistent with the updated National Position NPS's 2026, NPPF 2025 and other national planning policy documents (which have been updated recently to reflect the removal of the aforementioned de facto ban) which are considered 'other material considerations'. Therefore, the development plan is considered the starting point but attracts limited weight within the decision-making process, with those policies contained within national planning documents carrying the most weight and establishing the foundation for Maldon's planning policy assessment and decision.

4.5.2 For the avoidance of doubt at decision stage, the NPPF para. 168(a) requires significant weight to the benefits of renewable and low-carbon generation and the Proposed Development's contribution to a net zero future.

4.5.3 All planning policy documents identified above are material considerations.

5. MAIN CONSIDERATIONS

5.1 Public Consultation and Community Involvement

5.1.1 The applicant produced a Statement of Community Involvement (SCI) to support the application. The importance of pre-application engagement is recognised in the Government's revised NPPF, updated in December 2025, which states that:

"Early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality pre-application discussion enables better coordination between public and private resources and improved outcomes for the community (Section 39, page 13)."

5.1.2 In accordance with the NPPF, the Applicant has undertaken a programme of engagement with the local community to ensure that local people have the opportunity to inform the proposals prior to the submission of a planning application. This programme is compliant with the National Planning Policy Guidance (NPPG).

5.1.3 The key milestones were as follows:

- July 2024: Initial engagement began with the Dengie Hundred Group of Parishes, to introduce the project team and the emerging proposals for an onshore wind farm on the Dengie Peninsula.
- January 2025: The project launched publicly with the following activity:
    - A near neighbour door knock took place prior to the newsletter landing, informing residents within 1.5km of the turbines that the proposals would soon be announced. These house visits sought to introduce the project team and answer any initial questions.
    - Emails introducing the Proposed Development were sent to host Member of Parliament (MP), host Parish Councils, and host ward members for MDC and Essex County Council (ECC).

- Consultation materials with event details were issued by post to 588 local stakeholders and community members within a 2.5km radius.
- An A3 poster including details of upcoming consultation events was delivered to local points of interest, including local shops, pubs, and village halls.

- 27 February 2025 – 24 Apil 2025: Stage One Consultation Including two in-person public exhibitions:
  - Thursday 6 February –Southminster memorial hall – 15:00 – 19:00
  - Saturday 8 February – Burnham village hall – 12:00 – 16:00
- 1 April 2025: The Applicant attended the Burnham-on-Crouch Annual General Meeting (AGM) to help raise awareness of the proposals
- June 2025: The Applicant launched Stage Two Consultation with the following activity
  - A second near neighbour door knock took place prior to the newsletter landing, showing residents within 1.5km of the turbines the updated turbine layout and to invite them personally to the public exhibitions.
  - Emails with details of the Stage Two Consultation were sent to host MP, host Parish Councils, and host ward members for MDC and ECC.
  - Consultation materials with event details were issued by post to local stakeholders and community members within a 2.5km radius.
  - An A3 poster with details of events was delivered to local points of interest, including local shops, pubs, and village halls.
- 23 June 2025 to 21 July 2025: Stage Two Consultation including three in-person public exhibitions:
  - Tuesday 1 July 2025 - The Royal Burnham Yacht Club - 15:00 – 19:00
  - Friday 4 July 2025 - Southminster Memorial Hall 15:00 – 19:00
  - Thursday 10 July 2025 - Asheldham and Dengie Village Hall - 15:00 – 19:00
- 24 July 2025: An all-member briefing took place to MDC, summarising the Proposed Development and addressing initial questions posed by councillors.
- 1 October 2025: A second all-member briefing took place between the Applicant team and MDC.

5.1.4 Throughout the consultation process, the Applicant has invited feedback and contact from residents through email, online and freepost channels

5.1.5 Overall, the feedback received from stakeholders about the Proposed Development was generally positive, with a majority of feedback submissions saying that they were supportive of the proposals. This was alongside a general support for efforts to decarbonise the country's electricity supply through development of renewable energy resources.

5.1.6 In the Stage One Consultation, 14 out of 25 of respondents using the feedback form agreed with the principle of an onshore wind farm on the Dengie Peninsula.

5.1.7 In the Stage Two Consultation, six of out nine respondents using feedback form said they supported the Applicants proposals. Additional feedback was received on areas of relevance to the application, for instance the impacts of construction traffic through Latchington and Asheldham and Dengie, visual impact and noise associated with close properties, potential impacts on protected bird species along the coast.

5.2 **Principle of Development**

5.2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 (PCPA 2004), Section 70(2) of the Town and Country Planning Act 1990 (TCPA 1990), and Paragraph 47 of the NPPF require that planning decisions are to be made in accordance with the LDP unless material considerations indicate otherwise. In this case the Development Plan comprises of the adopted Maldon District Local Plan 2014-2029 (The Local Development Plan or LDP).

National Policy Context

5.2.2 National planning policy supports the transition to a low-carbon energy system. The NPPF confirms that the planning system should help to increase the use and supply of renewable and low-carbon energy, as set out at NPPF paragraphs 161 and 168. The UK Government has also established a legal obligation to achieve net zero Greenhouse Gas Emissions (GHG) emissions by 2050 under the Climate Change Act 2008 (as amended). The proposed scheme would make a positive contribution to meeting these binding national targets.

5.2.3 The NPPF was first published in March 2012 and was most recently updated in December 2025[1].

5.2.4 NPPF Policy 168 supports the case for the Proposed Development and significant weight should be given to:

"When determining planning applications for all forms of renewable and low carbon energy developments and their associated infrastructure, local planning authorities should:

a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and give significant weight to the benefits associated with renewable and low carbon energy generation and the proposal's contribution to a net zero future;
b) […]"

5.2.5 Through NPPF Policy 168, significant weight should be given to the Proposed Development's contribution to a net zero future, which now includes onshore wind, following the current government's removal of the de facto ban on onshore wind. This significant weight is reflected throughout Section 7's topic balances (i.e.: Landscape and Visual Impact Assessment (LVIA), heritage, noise). Overarching NPS for Energy (EN-1).

5.2.6 NPS EN-1 sets out the current national policy for delivering Nationally Significant Infrastructure Projects (NSIPs) energy infrastructure in England and Wales. NPS EN-1 has effect in combination with the relevant technology-specific NPS, in this case, NPS EN-3.

5.2.7 Part 3 of NPS EN-1 identifies the need for nationally significant energy infrastructure to address energy security objectives and carbon reduction requirements, replace closing generating capacity, and support an increase in renewables supply. The assessment principles (part 4) and generic impacts (part 5) provide a framework of considerations across energy technologies. Draft Overarching NPS for Energy (EN-1)

[1] The latest version was published in December 2025

5.2.8 The 2026 revision to EN-1 embeds the Clean Power 2030 ambition within the suite of energy NPS documents, reinforcing the Government's target for at least 95 % of electricity generation from clean sources by 2030.

5.2.9 Under EN-1, the "low carbon infrastructure" (which includes renewable electricity generation) is designated a Critical National Priority (CNP). This means that, subject to statutory and legal constraints (i.e.: habitat / environmental law), the urgent need for such infrastructure is expected to carry substantial weight in decision making. NPS for Renewable Energy Infrastructure (NPS EN-3)

5.2.10 NPS EN-3 together with NPS EN-1, provide the primary basis for decisions on renewable energy NSIPs.

5.2.11 The importance of the generation of electricity from renewable sources is stated in paragraph 1.1.2 of NPS EN-3: "Electricity generation from renewable sources of energy is an essential element of the transition to net zero and meeting our statutory targets for the sixth carbon budget (CB6)".

5.2.12 NPS EN-3 provides a framework for assessment and technology-specific information for specified renewable energy technologies. This application provides the technology-specific information required by NPS EN-3 by detailing the wind farm's design, turbine specifications, site selection rationale, grid connection strategy and environmental mitigation measures. It demonstrates how the proposed development aligns with national policy objectives for renewable energy infrastructure.

5.2.13 The 2025 NPS EN-3 sets out the main issues decision makers should consider when assessing onshore wind projects over 100 MW. For the Proposed Development, the following themes are especially relevant:

- Site selection and alternatives
    - Applicants are expected to show why the chosen site is appropriate, with reference to wind resource, grid connection opportunities, and avoidance of major constraints.
    - A clear account of alternative sites or layouts considered should be included, explaining why they were discounted. Design, layout and micrositing
    - The NPS encourages a flexible "design envelope" approach, allowing turbines to be microsited within defined limits to respond to site conditions.
    - The layout should minimise environmental and community impacts, particularly visual, ecological, and noise effects. Resilience and climate adaptation.
    - Projects should demonstrate that they have considered future climate risks and extreme weather events.
    - Design features should address issues such as storm resilience, soil stability, and long-term durability.
- Cumulative and sequential impacts
    - Decision makers must consider how the proposal interacts with other existing or proposed wind farms in the area.
    - The Environmental Statement should assess combined landscape, ecological, and heritage impacts, and propose appropriate mitigation.

- Protected landscapes and designations
    - Extra weight is given to conserving National Parks, National Landscapes (formerly Areas of Outstanding Natural Beauty (AONBs)), and their settings.
    - If a site affects these areas, the applicant must show that the project's benefits clearly outweigh the harm, and that mitigation has been maximised.
- Ecology, heritage and peat
    - Proposals must address effects on habitats, protected species, and the historic environment, following the avoid–mitigate–compensate hierarchy.
    - Where peat soils are present, applicants should provide carbon accounting and management measures.
- Decommissioning and repowering
    - EN-3 expects applicants to provide a decommissioning strategy, setting out how the site will be restored at the end of its life.
    - Repowering options should also be considered, given the importance of extending renewable generation capacity over time.
- Decision-making and weighting
    - Residual adverse impacts are to be weighed against the urgent national need for renewable energy.
    - Substantial weight should be given to the project's contribution to decarbonisation, energy security, and delivery of the Clean Power 2030 target.

5.2.14 For decision making, the operative NPS take precedence whilst NPS EN-3 provisions are supportive material which have informed the design envelope / micrositing and resilience.

5.2.15 The Alternative Site Assessment (Appendix 2 of the Planning Statement) provides justification for the chosen location of the Proposed Development by:

- Demonstrating alignment with national policy and the urgent need for renewable energy.
- Evaluating alternative sites and explaining why this site is preferred.
- Assessing environmental, technical and social constraints.

<u>National Planning Practice Guidance (NPPG)</u>

5.2.16 The NPPG supports the NPPF. However, the renewable and onshore-wind entries have not yet been updated to reflect the 2025 NPPF changes and the 2026 NPS (NPS EN-1 and NPS EN-3). Accordingly, the NPPG remains a useful technical guide but attracts limited weight where it conflicts with the more recent national policy position (NPPF 2024, draft NPS EN-1 and draft NPS EN-3).

5.2.17 NPPG Paragraph 005 (Ref ID 5-005-20150618) provides guidance on identifying suitable areas for renewable energy. The Proposed Development follows this approach through plan-led identification, consideration of wind resource, environmental constraints, community views, and use of landscape character assessments (see ES Volume 1, Chapter 6: Landscape and Visual Amenity).

5.2.18 NPPG Paragraphs 007 (Ref ID 5-007-20140306) and 014 (Ref ID 5-014-20150618) relate to criteria-based policies. The Proposed Development responds to these

criteria by addressing cumulative effects, local topography (including flat landscapes), heritage setting, protected landscapes / AONBs and local amenity (ES Volume 1, Chapters 6–11).

5.2.19 NPPG Paragraph 008 (Ref ID 5-008-20140306) discourages inflexible setback distances, encouraging instead appropriate context-based separation that reflects local topography, receptors, and design layout (see ES Volume 1, Chapter 6: Landscape and Visual Amenity, ES Volume 1, Chapter 11 Noise and Vibration as well as the Shadow Flicker Assessment).

5.2.20 NPPG Paragraph 033 (Ref ID 5-033-150618) reproduces the 2015 Written Ministerial Statement on wind energy, stating that planning permission should only be granted where:

- The Site lies within an area identified as suitable for wind energy in a Local or Neighbourhood Plan. The planning impacts identified by affected local communities have been fully addressed and the proposal therefore has their backing. Whether the proposal has community backing remains a planning judgement for the local authority.

5.2.21 While Paragraph 033 reflects Government policy as of 2015, it is significantly out-of-date considering the 2025 NPPF and both the operative and NPS EN-1 and NPS EN-3, which emphasise the urgent need to expand onshore wind capacity and to give significant weight to renewable-energy benefits. Nevertheless, the NPPG's guidance on assessing local impacts such as landscape, heritage, amenity, and cumulative considerations remains relevant and is addressed in Section 9 of this report.

Local Planning Policy Context

5.2.22 The Local Plan for the Maldon District includes policies which support renewable and low-carbon energy development, provided that any adverse impacts are satisfactorily addressed.

5.2.23 Section 38(6) of the PCPA 2004, which has been amended by Section 93 of the Levelling-up and Regeneration Act 2023, requires planning applications to be determined in accordance with the Statutory Development Plan and any national development management policies, unless material considerations dictate otherwise. If the Statutory Development Plan conflicts with a national development management policy, the national policy will take precedence.

5.2.24 The relevant statutory policy for the Proposed Development is:

- Maldon LDP.
- NPPF 2025 and its supporting NPPG.
- Maldon District Renewable and Low Carbon Technologies Supplementary Planning Document (adopted 10 May 2018).

5.2.25 The Government announced the removal of the de facto ban on onshore wind on 8 July 2024 and updated national policy in the NPPF to reflect this in February 2025. Local policy has not yet had time to catch up with this, but nevertheless, the starting point for any decision is the Development Plan. Local policies must still be considered first, followed by national policy.

5.2.26 The Maldon LDP sets out the planning strategy for future growth across the authority over the next 15 years, including the scale and distribution of future development and

the infrastructure needed to provide it. The Maldon LDP spatial vision is guided by a set of objectives, which include promoting the use of renewable energy.

5.2.27 The most relevant policy to the Proposed Development (noting that this policy was drafted when there was a de facto ban on onshore wind, and prior to the current supportive national policy position for onshore wind) is Policy D4:

'Renewable and Low Carbon Energy Generation – 'In principle, support will be given for the delivery of large-scale renewable and low carbon energy projects, excluding wind energy, provided adverse social, economic and environmental impacts have been minimised to an acceptable level. Suitable areas for wind energy development may be identified through the preparation of Neighbourhood Plans and proposals for wind energy development will be determined in accordance with national planning policy and practice guidance. Development proposals will be approved where it can be demonstrated, to the Council's satisfaction, that the development will not have an adverse impact, either individually or cumulatively, on the following: 1) The purpose or function of internationally, nationally or locally designated sites of protected wildlife or landscape areas; 2) Heritage assets and the setting of heritage assets within the landscape; 3) Landscape and the character of the undeveloped coast and areas, which by nature of their topography, are sensitive to development; 4) Neighbouring amenity, in respect to visual impact, flicker, vibration, glare, overshadowing, active or background noise levels and any other emissions; 5) The safety of public footpaths, bridleways, highways, avian wildlife and aviation; 6) Telecommunications including those used by the police and emergency services and navigational equipment; and 7) The best and most versatile agricultural land. (our emphasis) Proposals must have full consideration of individual impact or cumulative impact where there are more than one existing or proposed renewable energy projects. The Council will strongly support the principle of the development of a new nuclear power station at Bradwell-on-Sea'.

5.2.28 Each D4 Criteria is addressed in the following ES Chapters:

1. Designated sites (ES Volume 1, Chapter 6: Landscape and Visual Amenity and ES Volume 1, Chapter 7: Biodiversity).
2. Heritage (ES Volume 1, Chapter 9: Cultural Heritage and Archaeology).
3. Landscape (ES Volume 1, Chapter 6: Landscape and Visual Amenity).
4. Amenity including noise / shadow effects (ES Volume 1, Chapter 11: Noise and Vibration and the Shadow Flicker Assessment).
5. Safety / PRoW / highways / avian / aviation (ES Volume 1, Chapter 10: Transport and Access and Aviation and Telecommunications Technical Report).
6. Telecommunications (Aviation and Telecommunications Technical Report),
7. Best and Most Versatile (BMV) agricultural land (scoped out of the ES).

5.2.29 Cumulative effects are assessed in ES Volume 1, Chapter 16: Cumulative Assessment. However, the development management test in D4, of 'no adverse effect either individually or cumulatively, is to some degree, at odds with current and emerging national policy.

5.2.30 Whilst this policy has been largely overtaken by current national policy, the considerations in Policy D4 remain relevant for onshore wind projects determined under the Maldon LDP, albeit with lesser weight than it carried when first drafted, given the Maldon LDP predates the current government policy, and reflects policy that was in place when there was a de facto ban on onshore wind projects.

5.2.31 Paragraph 3.39 within the Maldon LDP states:

"This Plan does not identify any suitable locations for wind turbines…Where proposals for wind turbines are included in Neighbourhood Plans, consideration will need to be given to the location in relation to the impact on telecommunications, particularly to systems used by the police and emergency services. Similarly, neighbourhood plan makers will need to consider the effects of wind turbines in relation to aviation and maritime safety. Developers should work closely with local airport providers, airfields and navigation authorities to ensure the site siting of wind turbines in the District."

5.2.32 Paragraph 3.40 within the Maldon LDP states:

"The Government intends to provide local communities with more power to influence the location of on-shore wind farms, and also substantially increase the financial benefits that can be paid to communities where wind farms are located. Neighbourhood Plans can, therefore, identify suitable locations for wind farms and wind turbines in their local areas where evidence suggests that a site is suitable and with regards to other policies in this plan and national policy."

5.2.33 Although this locally based approach is no longer a national policy requirement, the Neighbourhood Plan will remain a consideration as part of the Maldon LDP.

5.2.34 MDC has prepared a Renewable Energy Supplementary Planning Document (Renewable Energy SPD). This was adopted on 10 May 2018. The Renewable Energy SPD has not been updated since it was published and is not considered reflective of updated planning policy, particularly the NPPF, but also other revised Government renewable energy policies and targets.

5.2.35 Renewable Energy SPD paragraph 5.3.4 states:

'Wind speed is an important issue when identifying a suitable site for a wind turbine. A minimum wind speed of 3.5 metres per second is required for a small wind turbine to start generating power. A wind speed of 10 – 15 metres per second will produce the maximum amount of energy generation of a wind turbine. For wind energy generation to be effective and efficient, wind speeds must have consistency without hindrance from any turbulent air, and other obstructions such as trees and buildings'.

5.2.36 The Proposed Development will consist of modern turbine and blade technologies that will be of a size and scale to efficiently capture wind for energy generation. Since publication of the Renewable Energy SPD in 2018, there have been advancements in technology, owing to the larger blade diameters that are now typically installed, such that lower wind speeds than the quoted 10 – 15 m/s may provide the maximum amount of energy generation for a wind turbine. The location of the Proposed Development is modelled to produce consistently high wind speeds. The Site is also free from large obstructions due to the surrounding area being exposed coastal farmland where the topography is generally flat. This is expected to align the Proposed Development with the typical maximum energy production for wind farms in accordance with Renewable Energy SPD paragraph 5.3.4.

5.2.37 The Renewable Energy SPD does provide an understanding of MDC's historical position on suitable onshore wind farm locations. Renewable Energy SPD paragraph 5.3.5 states:

'there are very few areas within the District suitable for wind farm development, when wind speeds are taken into account. It is argued by the Council that current large-scale wind energy schemes are utilising the most suitable areas for wind energy'.

5.2.38 In considering Renewable Energy SPD paragraph 5.3.5 outlined above, and the government's recent updates to enable onshore windfarm developments, it is considered the Dengie Peninsula would be suitable for the Proposed Development because:

- The Proposed Development would be located between the three existing wind farms (the only three wind farms within the Maldon District area).
- The Proposed Development would be situated within an area of consistently high average wind speeds.

5.2.39 Therefore, in accordance with Renewable Energy SPD paragraphs 5.3.4 and 5.3.5, the Council is anticipated to agree, in principle, the location of the Proposed Development is suitable for an onshore wind farm.

5.2.40 The BOCNP (September 2017) is the only applicable Neighbourhood Plan and the area covered extends from Burnham-on-Crouch in the west, to the very eastern point of the Dengie Peninsula, covering much of the River Crouch northern land margins. The Neighbourhood Plan does not allocate specific areas for renewables resulting in the weight accorded to it being limited where it is inconsistent with updated national policy for onshore wind (NPPF 2024; Draft NPS's 2025).

5.2.41 The Proposed Development will locate some infrastructure within the BOCNP area; however, no wind turbines will be installed within this area. It is proposed that the existing crane hardstanding (located on the north bank of the River Crouch) will be used to enable the delivery of wind turbine component AILs.

5.2.42 The BOCNP has the same legal status as the Maldon LDP. Neighbourhood planning is not a legal requirement but a right which communities in England can choose to use. Relevant policies within the BOCNP include:

- Policy EN.4 – Renewable Energy:
  - Proposals for the development of renewable energy proposals will be supported in the Plan area subject to the following criteria:
    - They preserve or enhance the character and appearance of the conservation area;
    - They take account of the setting of the Town within the Dengie Peninsular;
    - They do not have an unacceptable detrimental effect on the integrity of a listed building or its setting; and
    - They do not have an unacceptable detrimental effect on the amenities of residential or other properties in the Site's locality.
- Policy EN.5 – Access to Renewable Energy Sites from the River Crouch:
  - Encourage any future construction and maintenance of wind turbines to be accessed from the river to reduce the impact on the road network where possible.

5.2.43 In considering both Maldon LDP and BOCNP, there is support for renewable energy developments within both the district and the Burnham-on-Crouch area. However, it is considered that these documents should be considered in context of the more recently updated NPPF which directs and guides the development of such local policies, and weight accorded to policies respectively. The fact that both the Maldon LDP and BOCNP are out of date lend themselves to not be completely consistent with some of the more recent updates to the NPPF, particularly with respect to energy developments. The Neighbourhood Plan does not allocate specific areas for

renewables resulting in the weight accorded to it being limited where it is inconsistent with updated national policy for onshore wind (NPPF 2025; NPS 2026).

Other Relevant Guidance and Material Considerations

5.2.44 The Paris Agreement is a legally binding international treaty on climate change. It was adopted by 196 Parties at the UN Climate Change Conference (COP21) in Paris, France, on 12 December 2015. It entered into force on 4 November 2016.

5.2.45 As a result of the Governments commitments to the Paris Agreement, in June 2019 the UK became the first major economy to legislate for a 2050 net zero GHG emissions target through the Climate Change Act 2008 (2050 Target Amendment) Order 2019.

5.2.46 Decarbonisation is therefore a UK legal requirement.

5.2.47 The Climate Change Committee (CCC), a national independent advisory committee, made clear in its Progress Report to Parliament in 2019 that the UK is not on track to meet its fourth (2023-2027) or fifth (2028-2032) carbon budget. Within the Sixth Carbon Budget (2033-2037) this also remains unchanged and it requires the UK to reduce GHG emissions by 78 per cent by 2035 compared to 1990 levels.

5.2.48 The Energy White Paper, published in December 2020, outlined a strategy to transform the energy system, tackling emissions while continuing to ensure secure and reliable supply, and affordable bills for households and businesses.

5.2.49 Onshore wind and solar are key building blocks of the future generation mix, along with offshore wind. The UK will need sustained growth in the capacity of these sectors in the next decade to ensure that we are on a pathway that allows us to meet net zero emissions in all demand scenarios (page 45 of the Energy White Paper).

5.2.50 The Net Zero Strategy (NZS), published in October 2021, set out a long-term plan for the economy wide transition to net zero that will take place over the next three decades. This is a legal obligation under the Climate Change Act 2008 (as amended in 2019), which commits the UK to achieving net zero greenhouse gas emissions by 2050. As such, the NZS forms a critical part of the government's statutory duty to meet this target.

5.2.51 The NZS's key policy is for the UK to be powered entirely by clean electricity by 2035, subject to security of supply (page 20 of the NZS), a policy which is consistent with government's more ambitious aim to deliver 'Clean Power by 2030' but has been superseded by it.

5.2.52 The NZS states that a sustained increase to the deployment of land-based renewables such as locally supported onshore wind and solar in the 2020s and beyond is required to meet these pledges (page 103 of the NZS).

5.2.53 The Government's Clean Power 2030 Action Plan (CP30) has set a capacity range of 27 to 29 GW to prioritise onshore wind connections by 2030. As of December 2024, Great Britain's onshore wind generation capacity is currently 14 GW (16 GW in the UK). The approaching 2030 deadline to increase onshore wind generation capacity (in line with CP30), and national focus on increasing renewable energy generation capacity demonstrates the need for the Proposed Development.

5.2.54 CP30 encourages energy security and resilience of the energy generation mix by shifting away from fossil fuel dependence, and more towards a diversified portfolio of

renewable energy generation technologies. CP30 focusses on building an energy mix that is both diversified in the type of generation technology deployed, as well as being enabled through energy demand management which aims to help manage the energy production peaks and troughs associated with some renewable energy generation technologies, thus also improving energy affordability.

5.2.55 The Onshore Wind Taskforce Strategy, a UK government initiative published in July 2025, outlines 42 actions to accelerate onshore wind deployment, aiming to nearly double capacity by 2030, in line with CP30. The strategy confirms that onshore wind will play an essential role in Clean Power by 2030, leading to a more secure and affordable energy system, and creating new economic opportunities and jobs across the UK. The strategy focuses on removing barriers to development, such as in planning, grid connections, and routes to market, while also ensuring economic benefits for local communities and the environment.

5.2.56 Onshore wind projects in England with a generating capacity of 100 MW or more have been reintroduced into the NSIP (National Strategic Infrastructure Projects) regime. This means that applications for these large-scale onshore wind farms submitted from January 2026 will be determined by government ministers rather than local councils. This change aims to streamline the planning process for these projects and support the UK's clean energy goals.

5.2.57 The Planning and Infrastructure Act, which became law in December 2025, introduces a discretionary power for the Secretary of State to direct that certain projects, otherwise qualifying as NSIPs under the Planning Act 2008, may instead proceed under the TCPA 1990. This provision is particularly relevant to onshore wind developments, which are being reintroduced into the NSIP regime via the Infrastructure Planning (Onshore Wind and Solar Generation) Order 2025, effective from 31 December 2025. The Proposed Development exceeds the new NSIP threshold of 100 MW and would ordinarily fall within the NSIP regime once the Order takes effect. However, this planning application has been submitted prior to the end of 2025 and is therefore being advanced under the TCPA, in accordance with the transitional arrangements set out in the 2025 Order. The Proposed Development does not benefit from a Section 35 Direction under the Planning Act 2008, and no such direction has been sought. Accordingly, the application is being determined under the existing TCPA framework.

5.2.58 A climate emergency was declared by ECC in July 2019. ECC published its Climate Action Plan in November 2021 with the second iteration being published in July 2023. The plan outlines how ECC will work with partners and communities to reduce GHG emissions and build resilience to climate change in Essex. The report's recommendations, including achieving net-zero emissions by 2050, are directed at all public sector organisations, businesses, charities, communities, and residents. The climate emergency declaration included a commitment to achieve net-zero carbon emissions for council activities by 2030. MDC climate emergency, Climate Action Strategy and Climate Action Plan

5.2.59 A climate emergency was declared by MDC in February 2021. MDC’s Climate Action Strategy, “Our Home, Our Future” published in November 2021, outlines their commitment to becoming a carbon-neutral district by 2030. This involves reducing carbon emissions, increasing climate resilience, and fostering partnerships for sustainable solutions.

5.2.60 The first Climate Action Plan, which sets out specific activities for 2023/2024, was published in March 2023. One of the actions for MDC is to ‘understand future planning and development impacts’ with the associated focussed activity being to

'develop renewable energy SPDs for large stand-alone sites' and 'to include Geographic Information System (GIS) mapping of suitable sites in the District'. A Climate Action Plan for 2024/2025 has not been published.

5.2.61 Under the planning regime, Department for Transport (DfT) Circular 1/2003 applies to officially safeguarded civil aerodromes, officially safeguarded civil en-route technical sites, military aerodromes and military technical sites in the UK. Under this guidance, officially safeguarded aerodromes and operators of technical sites benefit from a Consultation Direction and are considered statutory consultees with respect to planning applications that come forward within a prescribed safeguarding zone.

5.2.62 Collectively these documents reinforce the urgent national and local imperative to accelerate deployment of onshore wind in appropriate locations and therefore add cumulative weight to the need case (read alongside EN-1 Part 3 and NPPF 168(a)).

Acceptability of the Site in Principle

5.2.63 The applicant argues that site is considered suitable in principle for wind energy development for the following reasons:

- It benefits from a viable wind resource;
- It provides direct access to the existing electricity grid at the Rayleigh Local Substation;
- The Site comprises agricultural land, which is not subject to designations that would pose difficulties for wind energy development;
- Initial environmental assessments confirm that while there are potential impacts, these can be mitigated to such a degree that none are of such significance as to render the principle of development unacceptable.

Summary

5.2.64 When determining what are material considerations when assessing the Proposed Development, NPPF paragraph 36(d) states local plans are 'sound' if, among other matters, they are consistent with national policy. TCPA 1990 section 70(2) directs the planning authority to have regard to the provisions of the development plan, so far as material to the application, and to consider any other material considerations, among other matters. Additionally, NPPF paragraph 37 in combination with Section 38(6) of the PCPA 2004 requires the determination to be made in accordance with the development plan unless material considerations indicate otherwise.

5.2.65 As stated within TCPA 1990 section 70(2), material considerations may include policies and reports outside of the local plan insofar as they are relevant to the application for planning permission. It is also stated by NPPF paragraph 36(d) that the local plan is considered sound where it is consistent with national policy. In this instance, because onshore wind farms are no longer subject to a de facto ban, as was the case when the Maldon District LDP became operative, those local development plan policies that are inconsistent with national policies (which were updated in February 2025 to enable onshore wind farm developments) are considered to carry significantly reduced weight within the planning permission decision making process where there is conflict with national policy. In the planning balance required by NPPF paragraph 11, the residual adverse effects identified in the ES are weighed against the substantial public benefits of renewable energy delivery, to which significant weight must be given under paragraph 168(a) and the urgent need established in NPS EN-1 and NPS EN-3.

5.2.66 Significant weight is afforded to the benefits of renewable energy generation under NPPF paragraph 168(a) and to the urgent national need for low-carbon infrastructure identified within NPS EN-1 and NPS EN-3.

5.2.67 Considering the above, the general principle of wind energy development at this location is acceptable. The Proposed Development is supported by national policy, aligns with the objectives of the Local Plan, and delivers significant benefits in terms of renewable energy generation and carbon reduction. Detailed environmental and technical assessments, set out within the ES, demonstrate that the development is capable of being delivered in a manner that is consistent with the overall planning policy framework.

5.3 Need and Economic Benefits

Renewable Energy

5.3.1 To address the climate emergency, safeguard the UK's energy security, ensure affordability, and meet legally binding Net Zero commitments, the UK Government has set out a clear and urgent requirement for the rapid expansion of low-cost renewable energy. This imperative is explicitly recognised in Draft NPS EN-1 (paragraph 3.1.1).

5.3.2 Onshore wind, alongside solar, is identified as a cornerstone of the transition to Net Zero. It is a proven, mature, and cost-effective technology, as highlighted by the Onshore Wind Taskforce Strategy. Clean Power 2030 sets out the need to expand onshore wind capacity to between 27–29 GW by 2030. Draft NPS EN-1 (paragraphs 2.3.5 – 2.3.7) further emphasises that every credible pathway to a decarbonised power system requires the mass deployment of onshore wind at a sharply accelerated scale and pace, to meet the projected doubling of electricity demand by 2050.

5.3.3 The Proposed Development directly responds to this national challenge. With an installed capacity of up to 108 MW, it would generate approximately 370,000 MWh (370 million kWh) of zero-carbon electricity annually. This is sufficient to power around 100,000 typical UK homes each year. Electricity generated would be supplied directly to the National Grid via the Rayleigh Local Substation, delivering a significant benefit which, in line with NPPF paragraph 160, should be afforded considerable weight in the planning balance. Further weight is provided by the fact that the applicant has secured a confirmed grid connection offer for 2033, a material consideration in accordance with NPS EN-1 paragraph 4.11.1.

Economic Benefits

5.3.4 Beyond its contribution to achieving the objectives of national energy policy, the Proposed Development would deliver substantial economic benefits. During construction, it would create direct employment opportunities for engineers, technicians and construction workers, while also supporting local businesses through contracts for haulage, plant hire, accommodation and catering. These opportunities extend into the operational phase, with long-term roles in maintenance and monitoring, ensuring that the project continues to support the local economy throughout its lifespan.

5.3.5 The development would also stimulate the regional supply chain, creating opportunities for small and medium-sized enterprises to participate in the renewable energy sector.

5.3.6 During construction, the Proposed Development is expected to support an annual average of 111 net additional Full Time Equivalent (FTE) jobs locally and 279 regionally, generating £11.3 million Gross Value Added (GVA) locally and £28.6 million regionally. During operation, eight net additional FTE jobs locally are expected, and 19 regionally, and £60 million GVA locally over the operational period.

5.3.7 At a wider scale, the project enhances the UK's economic resilience by reducing reliance on imported fossil fuels and protecting households and businesses from volatile global energy markets. By generating clean, low-cost electricity domestically, it contributes to stabilising long term energy costs and supports the Government's Clean Growth Strategy and Industrial Strategy, reinforcing the UK's position as a leader in renewable energy deployment.

Summary

5.3.8 In summary, the Proposed Development addresses an urgent national need for renewable energy while delivering clear and lasting economic benefits. It will provide a significant volume of zero carbon electricity, contribute directly to statutory Net Zero targets, and strengthen the resilience of the UK's energy system. At the same time, it will generate employment, stimulate local supply chains, and deliver community benefits, ensuring that the positive impacts are felt both nationally and locally. Taken together, these factors weigh in favour of the Proposed Development and should be given substantial weight in the planning balance.

5.4 Landscape and Visual Impact Assessment (LVIA)

5.4.1 The likely significant effects of the Proposed Development on landscape character and visual receptors during construction, operation, and decommissioning have been assessed by the applicant in the ES. The applicant's assessment follows GLVIA3 principles and considers host and non-host Landscape Character Areas (LCAs), Marine Character Areas (MCAs), residential receptors, and nationally promoted trails. It also evaluates embedded mitigation measures, design evolution, and compliance with national and local policy.

5.4.2 In line with NPS EN-1 (paragraphs 5.10.4 – 5.10.6), it is acknowledged that "virtually all nationally significant energy infrastructure projects will have adverse effects on the landscape", but that these effects can be limited through careful siting and design. The design of the proposed wind farm has therefore been refined to minimise landscape harm and to provide reasonable mitigation wherever possible, as required by NPS policy. In particular, NPS EN-1 advises that projects be sited and designed to "minimise harm to the landscape, providing reasonable mitigation where possible". The requirement to undertake a robust Landscape and Visual Impact Assessment (LVIA) is explicitly endorsed by EN-1 (paragraph 5.10.16), which instructs that the applicant "should carry out a landscape and visual impact assessment" and include it in the ES. Consistent with EN-3 (Renewable Energy NPS) paragraph 2.7.38, the applicants LVIA has been prepared in accordance with EN-1 guidance. The design ethos also reflects EN-3 paragraph 2.7.60, which notes that "good design that is sympathetic and contributes positively to the landscape character" will mitigate adverse effects.

Baseline and Key Receptors

5.4.3 The Site lies within the Coastal Landscapes Character Type (LCA F3: Dengie and Foulness Coast) of Essex. This character area is described as a "large scale, flat landscape" with a strong "sense of openness/space", vast tidal mudflats and saltmarsh, mainly arable farmland, few hedgerows or woodlands, isolated farms, and

a “remote tranquil character”. At the more local level, the Maldon District Landscape Character Assessment identifies the Site within a “Drained Estuarine Marshland” (LCA D8: Dengie Drained Estuarine Marsh). This is a low-lying, flat former saltmarsh, drained by dykes and protected by sea walls, with predominantly arable fields, very limited tree cover (confined mainly to farmsteads), and long, panoramic views across the marsh towards the coast and estuaries. The baseline character is one of openness and exposure: “the landscapes would remain open, remote and exposed” with “huge skies” and distant views dominating the visual experience. Notably, three onshore wind farms (Turncole, Middlewick and Bradwell Marshes) and several offshore developments are already present in or visible from this marsh landscape, such that wind energy is now “firmly established as a key characteristic of this LCA”.

5.4.4 MDC’s case officer made a site visit on 22 April 2026. Key visual receptors include local residents and properties within a few kilometres; recreational users of PRoW and the England Coast Path (the King Charles III Coastal Path runs along the Site’s seaward boundary); users of nearby roads and viewpoints; and ecological and heritage sites (i.e.: the Dengie National Nature Reserve (NNR) and coastal Sites of Special Scientific Interest (SSSIs)). Views from the coast and open fields are generally long-distance, given the flat terrain. There are no National Parks or AONBs on-site or immediately adjacent, and the nearest designated landscapes lie over 30 km away. The Site lies outside any statutory dark sky or tranquillity designations, though the flat, rural marshland is generally tranquil.

Summary of Relevant Consultation and Outcomes

5.4.5 A detailed consultation process by MDC has informed the landscape and visual assessment. Statutory stakeholders (i.e.: ECC, NE) and local communities were consulted on the emerging proposals. The applicant held public exhibition events and meetings at Southminster and Tollesbury in February 2025, during which concerns about visual impacts were noted and the design was iterated accordingly. Feedback from consultees has been addressed through iterative design and the outline landscape management plan. The Proposed Development’s layout was refined to keep turbines away from the very edge of the coast wall where possible, and an earth bund and planting belt have been incorporated around the proposed substation, in response to local feedback on screening needs. Detailed stakeholder comments on visibility and cumulative effects have been considered in the LVIA methodology. All viewpoints requested during consultation, including those from the Coastal Path and key viewpoints identified by parish councils, have been modelled in the applicant’s ES Volume 1, Chapter 6: Landscape and Visual Amenity.

Summary of Proposed Mitigation (Embedded and Additional) and Residual Effects
Construction phase mitigation and residual effects

5.4.6 The applicant argues that construction will be temporary and of limited duration (up to 18 months). Construction plant, cranes and turbine components will introduce vertical elements to the flat landscape, and site compounds may be visible from nearby receptors. However, these effects will be short-term. Standard best-practice mitigation (i.e.: dust control, routing of vehicles, screening of site compounds with fencing and landscape mounding) will be employed. Working hours will be restricted and lighting will be minimised to that required for safety. Temporary construction lighting will be used only where required for safety and security, and that lighting impacts will be controlled through the Construction Environmental Management Plan (CEMP). Construction lighting will be directional, low-level, and time-limited, designed to minimise glare and skyglow as confirmed within the applicant’s ES Volume 1, Chapter 6: Landscape and Visual Amenity and to be secured within the CEMP.

5.4.7 NPS guidance does not specifically prohibit temporary construction impacts; however, NPS EN-1 (paragraph 5.10.16) expects their inclusion in the ES assessment. In practice, the magnitude of construction visual impact is assessed as Moderate Adverse (Temporary) on the worst-case assumption (works visible at close range), and Minor Adverse at more distant receptors. As construction progresses, components will be progressively installed, and the Site will take on its operational form. In the worst-case, the most visible phase is crane erection of the first turbine, after which the visual character is not substantially worse than the completed scenario. No mitigation beyond normal construction controls is feasible to remove these temporary effects, but all operations would comply with Construction (Design and Management) regulations and the outline Code of Construction Practice.

Operation phase mitigation and residual effects

5.4.8 During operation, the main landscape elements introduced will be the turbines (up to 200 m tip height) and the associated permanent infrastructure (up to 10 m substation and underground cables). The turbines are tall, slender structures, but they use a neutral grey non-reflective finish to minimise glare. They have been sited in a regular layout which respects existing landforms (all turbines are set back from the outer coastline by the sea wall) and align with existing wind farm patterns. The proposed substation compound will be enclosed by an earth bund and native tree/hedgerow planting, reducing its visibility. No permanent visible night-time lighting is proposed with security lighting using infra-red technology, avoiding adverse night-time visual effects. This is with the exception of visible aviation lighting. Aviation lighting will be restricted to the minimum necessary under Civil Aviation Authority (CAA) regulations, likely medium-intensity red lights on selected turbines. This aviation lighting would be visible intermittently, however, as confirmed within the applicant's ES Volume 1, Chapter 6: Landscape and Visual Amenity, no significant night-time effects would occur due to the low brightness, spacing and distance from most receptors.

5.4.9 The operational visibility envelope extends to approximately 10 – 15 km from the Site. Within 5 km many properties and footpaths have potential visibility (albeit often partial). Key sensitive receptors include the King Charles III Coastal Path (route of the England Coast Path), public footpaths along the estuary, and small villages such as Bradwell-on-Sea and St Lawrence. The applicants LVIA shows that the turbines will generally be seen against the skyline from these directions, with long views across the marsh. However, the presence of other nearby turbines (Middlewick and Turncole to the west, Bradwell Marshes to the north) means that the landscape character already includes such features. The applicant's ES Volume 1, Chapter 6: Landscape and Visual Amenity also find that landscape character effects will range from Slight (where turbines are seen as an addition to the existing turbine cluster) to Moderate (in the immediate foreground of receptors in the marsh). Visual amenity effects for residents are assessed as Moderate Adverse at the closest houses, but Minor Adverse or Negligible for most views beyond 2 – 3 km. NPS EN-1 paragraph 5.10.5 acknowledges that adverse effects are inevitable but can be offset by mitigation. In this case the mitigation includes the substation bund, the use of indigenous tree planting in the landscape management plan, and adherence to design guidelines for turbine placement. No international or national landscape designations are on-site; local landscape plan policies have been considered but do not prohibit turbines. Coastal landscape policy (NPS EN-1 paragraph 5.10.15) notes that coasts are "particularly vulnerable to visual intrusion", which has been taken into account by setting turbines away from the foreshore and by bunding the substation.

Decommissioning phase mitigation and residual effects

5.4.10 Upon decommissioning, the turbines and substation would be removed. The landscape would largely revert to its baseline state over time (new planting would be removed and the bund would be profiled back into the ground). Temporary decommissioning effects (similar to construction) would be of short duration only. Therefore, decommissioning impacts are assessed as negligible to Minor Adverse (short-term), which are not significant in the longer term. This approach aligns with NPS EN-1 guidance that considers removal of infrastructure to restore landscape as part of the lifecycle.

Summary of residual effects

5.4.11 The applicant's ES Volume 1, Chapter 6: Landscape and Visual Amenity identifies residual landscape and visual effects, and these are summarised below. Any significant effects are also summarised in ES Volume 1, Chapter 17: Summary of Likely Significant Effects.

Receptor	Residual Effect and Significance
Construction	
King Charles III England Coastal Path	Major/Moderate (Adverse) – **Significant**
River Crouch Estuary	Moderate (Adverse) – **Significant**
Residential Properties within 1.5km	Major/Moderate (Adverse) – **Significant**
Operation	
Maldon LCA D8 (Eastern part)	Moderate (Adverse) – **Significant**
Maldon LCA D8 (Western part)	Moderate/Minor (Adverse) – Not Significant
Maldon LCA C3: Dengie Flats Estuarine Marsh/Mudflats	Major/Moderate (Adverse) – **Significant**
Maldon LCA E2 (within ~3.5km of Site)	Moderate (Adverse) – **Significant**
Rochford LCA E1, E2, F1	Moderate (Adverse) – **Significant**
MCA 19: Essex and South Suffolk Estuaries and Coastal Waters	Moderate (Adverse) – **Significant**
Residential Community within 3km of WTGs	Major (Adverse) – **Significant**
Dengie and Asheldham	Moderate (Adverse) – **Significant**
Tillingham	Moderate (Adverse) – **Significant**
Churchend and Courtsend (Foulness Island)	Major (Adverse) – **Significant**
King Charles III England Coastal Path (Dengie Peninsula)	Major (Adverse) – **Significant**
Wallasea Island Nature Reserve	Major/Moderate (Adverse) – **Significant**
River Crouch Estuary	Major/Moderate (Adverse) – **Significant**
Coastal Waters east of Dengie Peninsula	Major/Moderate (Adverse) – **Significant**
Decommissioning	
Maldon LCA D8: Dengie Drained Estuarine Marsh	Moderate/Minor (Adverse) – Not Significant
King Charles III England Coastal Path	Major/Moderate (Adverse) – **Significant**
River Crouch Estuary	Moderate (Adverse) – **Significant**
Residential Properties within 1.5km	Major/Moderate (Adverse) – **Significant**

Policy Compliance and Applicable Weight

5.4.12 The proposed development is assessed by MDC against the overarching NPS EN-1 and relevant technology specific NPS as well as the NPPF and Maldon LDP. The planning system promotes high quality development through good inclusive design and layout, and the creation of safe, sustainable, liveable, and mixed communities. Good design should be indivisible from good planning. Recognised principles of good design seek to create a high-quality built environment for all types of development. It should be noted that good design is fundamental to high quality new development and its importance is reflected in the NPPF.

Maldon LDP

5.4.13 At the local level, the Maldon LDP provides a detailed framework for managing landscape and visual quality. The Maldon LDP carries lesser weight with this type of application due to being out of date and not wholly aligned with current national level policy. Despite this, the relevant policies include:

- **Policy D1** – Design Quality and Built Environment require development to "respect and enhance local character and protect the amenity of surrounding areas, including landscape setting and key views." The proposed layout and materials respect the flat, open marsh landscape, using slender turbine forms and muted colours consistent with the rural setting. The substation's low-profile, barn-like design and surrounding planting ensure compatibility with local character.
- **Policy D2** – Climate Change and Environmental Impact of New Development supports renewable energy generation provided adverse landscape or visual impacts are minimised. ES Volume 1, Chapter 6: Landscape and Visual Amenity confirms that significant effects are limited to a small number of viewpoints and are acceptable in planning terms given the renewable energy benefits.
- **Policy D4** – Renewable and Low Carbon Energy Generation explicitly identifies that "wind energy developments will be determined in accordance with national planning policy and practice guidance". MDC has applied greater weight to national policy and practice guidance, than the Maldon LDP, in accordance with this policy.
- **Policy N1** – Green Infrastructure Network requires enhancement of green infrastructure where possible. The Outline Landscape and Ecological Management Plan (oLEMP) provides targeted planting and habitat creation around the substation, consistent with Policy N1's objectives.

5.4.14 Taken together, these policies identify supporting renewable energy development where appropriately designed and sited. The Proposed Development seeks compliance with the LDP's design, landscape, and renewable energy policies, providing substantial climate benefits while maintaining the general character of the Dengie Marshes landscape.

NPPF

5.4.15 The NPPF provides the overarching national planning context for achieving sustainable development. Paragraph 11 sets out the presumption in favour of sustainable development, and paragraph 160 gives significant weight to supporting the transition to a low-carbon future, including through renewable energy generation.

5.4.16 In relation to landscape and visual considerations, relevant provisions are found in NPPF Sections 12 and 15:

- **Section 12** – Achieving Well-Designed Places: Paragraph 135 requires development to be "sympathetic to local character and history, including the surrounding landscape setting." The wind farm's layout, turbine form, and muted colours reflect the open, coastal landscape of the Dengie peninsula. The low-profile, barn-style substation and modest screening bund are consistent with local vernacular character.
- **Section 15** – Conserving and Enhancing the Natural Environment: Paragraph 185 (a–c) seeks to protect valued landscapes, recognise the intrinsic beauty of the countryside, and maintain the character of the undeveloped coast. The Site lies within a large-scale, open marsh landscape already influenced by existing turbines and outside any nationally designated area. Turbines are set well back from the coastal edge, preserving the undeveloped foreshore and open views along the King Charles III Coast Path. Paragraph 186 encourages enhancement of biodiversity and landscape quality; the oLEMP secures native planting and habitat management around the substation.

5.4.17 The Proposed Development therefore seeks to balance renewable energy delivery with landscape protection, consistent with the NPPF's sustainability objectives.

5.4.18 The Proposed Development accords with the NPPF by delivering substantial renewable energy benefits through a sensitively designed scheme that conserves local landscape character and the undeveloped coast. Residual effects identified in the applicant's LVIA are limited and acceptable in the context of national policy support for renewable energy.

- **NPS EN-1:** The Proposed Development has followed the advice in NPS EN-1. As required by paragraph 5.10.6, the turbines and substation have been sited and designed to minimise landscape impact. The applicant's LVIA presented in ES Volume 1, Chapter 6: Landscape and Visual Amenity satisfies NPS EN-1 paragraphs 5.10.16 and 5.10.17 by assessing landscape character and cumulative effects. Coastal sensitivity (NPS EN-1 paragraph 5.10.15) was a key consideration; turbines are set back and of slender design to reduce intrusion. The assessment has considered effects on statutory purposes of the coast and acknowledged the absence of national landscape designations. The project's design mitigation (bunding, planting) also follows NPS EN-1 paragraph 5.10.24's encouragement to enhance landscape quality through management.
- **NPS EN-3:** Although NPS EN-3 principally covers biomass and offshore generation (and explicitly excludes onshore wind), its general guidance on landscape has been applied. NPS EN-3 paragraph 2.7.38 directs that LVIA be carried out "in accordance with" NPS EN-1 guidance – as done. NPS EN-3 paragraph 2.7.60 emphasises sympathetic design to mitigate visual effects, which underpins the design choices made (i.e.: turbine finish, layout). Further, NPS EN-3 paragraph 2.7.92 requires that infrastructure design should "minimise adverse effects on the landscape character [and] visual amenity"; the proposed substation (for example) is designed as a low-profile compound with bunds to meet this standard. In all respects, the development conforms to the intention of NPS EN-3 policy for renewable projects.
- **NPS EN-3:** NPS EN-3 establishes the policy framework for nationally significant onshore wind developments in England (see paragraph 1.6.1). Section 2.12 recognises onshore wind developments above 100 MW in generation capacity as CNP infrastructure (paragraph 2.1.7), essential to the Government's Clean Power 2030 Mission and Net Zero 2050 targets.

- **NPS EN-3 paragraphs 2.12.5–2.12.7** set out the expectations for good design and site planning. Turbines should be arranged coherently to avoid visual clutter; colour, finish and scale should minimise contrast with the surrounding landscape and cumulative landscape and visual effects must be fully assessed where other turbine developments exist. Consistency in turbine form and careful control of ancillary infrastructure are central to achieving the good-design principles of NPS EN-1 (Section 4.7) and EN-3 (paragraph 2.5.2).

5.4.19 For the Proposed Development, these criteria have guided the applicant's design evolution. The proposed turbine array adopts a regular, compact layout, visually coherent with existing clusters at Middlewick and Turncole. Turbines are of uniform height and slender form with a matte pale-grey finish to reduce reflectivity. The substation and access infrastructure employ simple, agricultural styling and subdued tones, consistent with paragraph 2.5.2's requirement for good design in respect of landscape and visual amenity.

5.4.20 The applicant's cumulative assessment in the ES (ES Volume 1, Chapter 16: Cumulative Assessment) follows the approach advocated in paragraph 2.12.7, concluding that while some cumulative change would be perceptible within local views, these effects would not result in unacceptable harm to the key characteristics of the Dengie Drained Estuarine Marsh landscape character area.

5.4.21 Accordingly, MDC believes the Proposed Development demonstrates compliance with NPS EN-3 Section 2.12 through:

- sensitive site selection and coherent layout;
- adoption of consistent turbine design and finish;
- comprehensive cumulative assessment; and
- embedded and design-led mitigation proportionate to the scale and setting of the development.

5.4.22 The Proposed Development therefore aligns with NPS EN-3's balanced policy approach, which recognises both the national need for renewable generation and the importance of good design and landscape stewardship in delivering sustainable onshore wind infrastructure.

5.4.23 The Proposed Development's design has fully considered the energy NPS's, NPPF and Maldon LDP and demonstrates compliance with policy requirements on landscape and visual impacts. The unavoidable effects of the wind turbines on the flat, open marshland have been mitigated through sensitive siting, design measures, and planting. MDC believes that on balance, the assessment finds that any residual landscape and visual impacts are acceptable in the context of national policy support for renewable energy, consistent with the NPS policy tests for significance.

5.5 Biodiversity

5.5.1 The applicant's biodiversity assessment for the Proposed Development, draws on ES Volume 1, Chapter 7: Biodiversity and its technical appendices (habitats, protected species, ornithology, and collision risk modelling). Where relevant, it also cross - refers to the GHG / Climate ES chapters for embedded measures and net zero context.

Baseline and key receptors

5.5.2 The applicant's ES Volume 1, Chapter 7: Biodiversity establishes a desk and field survey baseline (2023–2025, with continuing surveys in 2025 / 26 captured in ES Addenda, April 2026) covering statutory and non-statutory designations, habitats, bats, breeding and nonbreeding birds, otter and water vole, reptiles and amphibians. Further winter bird and bat activity data and where necessary, the planning assessment of those, was provided by addendum to Maldon Council in April 2026 following completion of the winter bird and bat activity data collection.

5.5.3 Within 10 km of the site are multiple internationally and nationally designated sites comprising the Mid-Essex Coast complex (i.e.: Dengie Special Protection Area (SPA) / Ramsar / SSSI / National Nature Reserve (NNR), Crouch and Roach Estuaries SPA / Ramsar / SSSI, Foulness SPA / Ramsar / SSSI, Blackwater Estuary SPA / Ramsar / SSSI, Colne Estuary SPA / Ramsar / SSSI). Qualifying interests are principally non-breeding waterfowl / waders (including dark-bellied brent goose, knot, grey plover) and large waterbird assemblages. Sandbeach Meadows SSSI (grazing marsh supporting brent geese) also lies within 3 km. 7.54 The Site is predominantly arable, with field margins, modified grassland, ditches and scattered hedgerows (Priority habitat limited to hedgerows; no ancient woodland/irreplaceable habitat within the red line).

5.5.4 Species recorded within the Site include:

- **Non-breeding birds:** Large, variable seasonal aggregations of brent goose, golden plover and lapwing recorded within/near the Site; vantage-point data informed preliminary Collision Risk Modelling (CRM).
- **Breeding birds:** Farmland assemblage (skylark, yellow wagtail, corn bunting, reed bunting), with local raptors including marsh harrier and barn owl using the wider landscape.
- **Bats:** Low–moderate value landscape with bat activity dominated by common/soprano pipistrelle; small numbers of high-risk taxa (e.g., noctule, Leisler's, Nathusius' pipistrelle). Further 2025 static data has calibrated collision risk/curtailment need per NatureScot/NE guidance.
- **Otter, water vole:** water vole signs confirmed in northern ditches; otter not confirmed but plausible in the connected network. Reptiles and GCN are at most low/local; one positive Great Crested Newt (GCN) Environmental DNA (eDNA) in a pond approximately 1 km from turbine works.

Summary of Relevant Consultation and Outcomes

5.5.5 The EIA Scoping process involved MDC (Place Services), NE, the Environment Agency and RSPB. Key outcomes:

- Scope Ecology Assessment to designated sites and Functionally Linked Land (FLL), including winter birds and collision / displacement.
- Complete bat surveys including autumn migration to NatureScot / NE standard.
- Provide BNG using the statutory metric (including watercourse metric).
- Prepare Outline CEMP / Landscape and Ecological Management Plan (LEMP) / Habitat Management Plan (HMMP) and shadow Habitats Regulation Assessment (HRA).
- Explore offsite habitat creation to address potential effects on SPA birds. The ES reflects these points; additional winter / bat data and refined CRM were submitted to MDC in April 2026 by addendum.

Summary of Proposed Mitigation (Embedded and Additional) and Residual Effects

5.5.6 The applicant applies the mitigation hierarchy (avoid, minimise, mitigate, compensate) and embeds design and management measures through an Outline Construction and Decommissioning Environmental Management Plan (oCDEMP), oLEMP / HMMP, and Protected Species Mitigation and Monitoring Strategy; decommissioning will be governed by a DEMP. Turbines and tracks have been sited in low-value arable, with stand-offs from watercourses, use of existing tracks where possible, and clear-span bridges where needed. Targeted off-site habitat measures (wet grassland / grazing marsh) are being progressed within approximately 5 km to benefit SPA features. A BNG strategy will deliver at least 10% net gain (onsite and potential off-site), with statutory metric reporting and 30-year management.

5.5.7 The applicant's ES Volume 1, Chapter 7: Biodiversity, identifies residual biodiversity effects, and these are summarised below. Any significant effects are also summarised in ES Volume 1, Chapter 17: Summary of LSE.

Summary of Likely Residual Biodiversity Effects

Receptor	Residual Effect and Significance
Construction	
Dengie SPA, Ramsar, SSSI and NNR	Low (Adverse; habitat loss and disturbance) – Not Significant
Crouch and Roach Estuaries SPA/Ramsar/SSSI; Foulness SPA/Ramsar/SSSI	Low (Adverse; habitat loss and disturbance) – Not Significant
Blackwater Estuary SPA/Ramsar/SSSI; Colne Estuary SPA/Ramsar/SSSI	Very Low (Adverse; habitat loss and disturbance) – Not Significant
Sandbeach Meadows SSSI	Very Low (Adverse; habitat loss and disturbance) – Not Significant
Badger	Very Low (Adverse; habitat loss and disturbance) – Not Significant
Bats	Low (Adverse; habitat loss and connectivity changes) – Not Significant
Breeding Birds	Very Low (Adverse; habitat loss and disturbance) – Not Significant
Otter and Water Vole	Low (Adverse; habitat loss and disturbance) – Not Significant
Operation	
Dengie SPA, Ramsar, SSSI and NNR	Low (Adverse; displacement and collision) – Not Significant
Crouch and Roach Estuaries SPA/Ramsar/SSSI; Foulness SPA/Ramsar/SSSI	Very Low (Adverse; displacement and collision) – Not Significant
Blackwater Estuary SPA/Ramsar/SSSI; Colne Estuary SPA/Ramsar/SSSI	Very Low (Adverse; displacement and collision) – Not Significant
Sandbeach Meadows SSSI	Very Low (Adverse; displacement and collision) – Not Significant
Breeding Birds	Low (Adverse; displacement and collision) – Not Significant

Receptor	Residual Effect and Significance
Bats	Collision risk is **Significant** effect
Decommissioning	
Dengie SPA, Ramsar, SSSI and NNR	Low (Adverse; disturbance) – Not Significant
Crouch and Roach Estuaries SPA/Ramsar/SSSI; Foulness SPA/Ramsar/SSSI	Low/Very Low (Adverse; disturbance) – Not Significant
Blackwater Estuary SPA/Ramsar/SSSI; Colne Estuary SPA/Ramsar/SSSI	Very Low (Adverse; disturbance) – Not Significant
Sandbeach Meadows SSSI	Very Low (Adverse; disturbance) – Not Significant
Badger	Very Low (Adverse; disturbance) – Not Significant
Breeding Birds	Very Low (Adverse; disturbance) – Not Significant
Otter and Water Vole	Very Low (Adverse; disturbance) – Not Significant

Habitats Regulation Assessment (HRA)

5.5.8 The need for a HRA is set out within Article 6 of the EC Habitats Directive 1992, which is transposed into British Law by the Conservation of Habitats and Species Regulations 2017 (the Regulations), as amended by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 (the 2019 Regulations). The Regulations as amended provide a framework for the conservation of a representative network of European, now 'National Network' sites which make a significant contribution to conserving habitats and species identified in Annexes I and II of the EC Habitats Directive 1992. Special Areas of Conservation (SACs), SPAs (under the Birds Directive (79/409/EEC as amended)) and Ramsar Sites (wetlands protected under the Ramsar Convention) are within scope.

5.5.9 The Regulations require decision-makers, in this case MDC, to undertake an Appropriate Assessment (AA) where significant effects on a National Network site are likely, and only to give consent if there are no adverse effects on the integrity of a National Network site unless other legal tests have been met.

5.5.10 Under article 6(3) of the Habitats Directive, any plan or project not directly connected with or necessary to the management of a European site but would be likely to have an Likely Significant Effect (LSE) on such a site, either individually or in combination with other plans or projects, shall be subject to an HRA. Plans or projects can only be authorised if it can be concluded by the Competent Authority i.e. MDC, that it will not adversely affect the integrity of the European site in view of the site's conservation objectives. The exception to this is where there are Imperative Reasons of Overriding Public Interest (IROPI) and there are no other feasible alternatives, which would not affect the integrity of the European site. In this case the Competent Authority must assess all compensatory measures required to ensure the protection of the overall coherence of the national site network. In fulfilling its role as Competent Authority, the precautionary principle must be applied by MDC, and conclusions drawn on the best available scientific evidence.

5.5.11 There is no specific guidance on the inclusion of National Network sites within a screening for likely significant effects for the purposes of HRA. The applicant has adopted an approach of reviewing all network sites within a 10km Ecological Zone of Influence (EZoI). Having regard to the potential for functionally linked land or waters to be relevant (for example connecting qualifying features such as fish over a catchment that may extend beyond a 10km range).

5.5.12 The applicant also produced a document addressing the key concerns raised in the consultation responses received in relation to the planning application made by Dengie Marshes Wind Farm Limited (the Applicant) to MDC (planning application reference: 25/01022/FULM), spanning from 18 November 2025 (when the planning application was validated) to 10 April 2026.

5.5.13 This document summarised the relevant matters from consultee comments where a response from the Applicant is considered appropriate. The information contained in this document is a clarification of planning application documents submitted with the application on 17 November 2025 and does not include detail pertaining to the ES Addendum document that was submitted to MDC on 10 April 2026.

5.5.14 Several of the statutory consultees have raised no objection subject to appropriate conditions being imposed.

5.5.15 In accordance with the letter from MDC dated 13 March 2026, the applicant reviewed the various consultation responses to the application and have considered all of the matters and concerns that have been raised above through the following:

- A Consultation Response Document containing supplementary information and clarifications which addresses the key concerns raised where considered appropriate;
- Appendix A – Transport Summary Note and Slides
- Appendix B – Response to Historic England
- Appendix C – Environmental Statement Addendum A – Assessment of Effects for Designated Sites and Ornithology
- Appendix D – Response to the LDA Design Review of Landscape and Visual Effects
- Appendix E – Updated figures relating to Chapter 6 of the Environmental Statement
- Appendix F – Draft conditions prepared by the Applicant
- Appendix G – Updated Flood Risk Assessment and Drainage Assessment
- Appendix H – Crane Hardstanding Decision Notice
- Appendix I – Crane Hardstanding Design and Access Statement

5.5.16 The above documents were published on the MDC planning portal and consultation letters sent on 13 April 2026. It was advertised in the Maldon and Burnham Standard on the 23 April 2026 by MDC. Site notices were also posted around the application site by MDC on 22 April 2026.

5.5.17 A HRA Report, April 2026 to Report to Inform Appropriate Assessment has also been submitted by the applicant to assist MDC (and NE) in undertaking its duties as Competent Authority. That report identifies the relevant European sites and qualifying features and undertakes screening and appropriate assessment. Taking account of the embedded environmental measures, proposed off-site habitat creation, and the monitoring and mitigation framework, the applicants report concludes that the Proposed Development would not give rise to an adverse effect on the integrity of

any European site, either alone or in combination with other plans or projects. The ecological material submitted also provides further assertions that impacts on sensitive ecological receptors can be appropriately managed through the proposed environmental management, mitigation and monitoring measures.

5.5.18 NE contend that:

- the proposed development is on land with a clear functional linkage with the SPA and is extensively used by SPA bird populations. The evidence provided in the application, and from elsewhere, points to this development site being a hub within a complex of SPAs for metapopulations and this does not appear to be addressed by the avoidance and mitigation presented within the documents.
- the development is likely to cause displacement and habitat loss for SPA species, and the Appropriate Assessment does not appear to take into account fully the scale of these impacts.
- there is a high probability of bird collision with the development and the projected mortality rates within the HRA may not be sufficiently precautionary.
- the scale of the proposed mitigation land appears significantly insufficient to address the degree of loss, especially to functionally linked land, and there is insufficient evidence supplied to indicate it will be effective.

5.5.19 NE believe that the applicant's conclusion recognises the importance of the site for wintering birds, but contests that impacts upon bird species will not be sufficient to conclude that there will be an adverse effect on the integrity of any habitat site. Natural England cannot agree with that conclusion. Given the value of the development site for SPA birds, both displacement and collision risks remain key concerns. Given the location of this proposed development, its immediate proximity to the SPA and the known high usage of notified bird features, we conclude that it is likely to be difficult and complex to mitigate impacts with reasonable confidence. We are happy to discuss alternative proposals for siting of turbines and further enhancements to the mitigation area, but we do highlight that the location proposed is and will remain to be of vital importance to SPA species.

<u>Policy compliance and Applicable Weight</u>

5.5.20 NPPF Chapter 15 requires minimising impacts and providing net gains for biodiversity (paragraphs 187 – 193). The applicant has embedded avoidance / mitigation, secures long-term management, and commits at least 10% BNG using the statutory metric, consistent with these principles.

5.5.21 NPS EN-1 recognises an urgent need for low-carbon energy and expects robust biodiversity assessment and mitigation; NPS EN-3 requires ornithology, and bat assessments proportionate to risk; EN-5 emphasises biodiversity considerations for substations and grid works. Draft NPS EN-1, EN-3 and EN-5 reaffirm the CNP for clean power and strong presumption in favour, subject to mitigation. Maldon LDP Policy N2 seeks protection and enhancement of designated sites and net gain.

5.5.22 The Proposed Development has been designed around biodiversity constraints, with robust embedded controls, targeted off-site measures for mobile SPA features, and a minimum 10% BNG commitment. Notwithstanding, the comments of Natural England raise doubts on the methodological approach. On the current evidence a position of 'no significant residual effects' can be ruled out for protected species in EIA terms.

5.6 **Hydrology and Hydrogeology**

5.6.1 The applicant's ES Volume 1, Chapter 8: Hydrology and Hydrogeology for the Proposed Development, considers potential effects on surface water, groundwater, flood risk, and associated infrastructure during construction, operation, and decommissioning. The assessment follows best practice guidance and integrates relevant national and local policy, including the operative NPS EN-1 and NPS EN-3, draft NPS EN-1 and draft NPS EN-3, the NPPF and Maldon LDP policies.

Baseline and Key Receptors

5.6.2 The Site comprises low-lying agricultural land within Dengie Marshes, protected by sea defences and drained by a network of watercourses and ditches. Topography falls from approximately 21.7 m Above Ordinance Datum (AOD) in the northwest to -1.79 m AOD near the coast. The Asheldham Brook flows west to east through the Site, discharging to the sea at Grange Outfall. Flood mapping indicates the Site lies within flood zone 3, although defended. Groundwater vulnerability is generally low due to underlying London Clay Formation and Thames Group deposits. Key receptors include surface watercourses, groundwater aquifers, saltmarsh habitats, and people, property, and infrastructure at risk of flooding.

Summary of Relevant Consultation and Outcomes

5.6.3 Consultation on hydrology and hydrogeology was undertaken throughout the EIA process to inform the scope, baseline characterisation, and assessment of potential effects. Engagement with statutory consultees and relevant authorities helped shape the Flood Risk Assessment (FRA), drainage strategy, and embedded mitigation measures.

5.6.4 The Environment Agency provided input during the EIA scoping stage, highlighting the need for the Proposed Development to remain operational during extreme flood events. In response, the design of critical infrastructure, such as the substation, incorporates elevated plinths to ensure resilience against a 1 in 1000-year flood event, with a freeboard of 600 mm. The Agency's flood mapping and groundwater vulnerability data were also used to assess flood risk and aquifer sensitivity.

5.6.5 ECC, acting as the LLFA, raised concerns regarding flood risk and surface water quality. Their guidance informed the drainage design, which includes SuDS and construction-phase controls to manage runoff and prevent pollution. The LLFA also provided historic flood data, including flood extents and indicative depths, which were incorporated into the FRA and used to set design levels for infrastructure.

5.6.6 MDC directed the Applicant to consult with ECC's flood team for detailed flood risk information. This consultation confirmed the need to account for coastal flooding scenarios and informed the assessment of flood depths across the Site.

5.6.7 Further discussions with ECC addressed the provision of floodplain storage, shoreline management planning, and emergency flood planning. It was confirmed that, due to the coastal nature of the flood risk, compensatory floodplain storage was not required. Design levels for infrastructure were set based on worst-case flood scenarios, ensuring operational resilience.

5.6.8 The consultation outcomes have directly influenced the embedded environmental measures, including:

- Preparation of a CEMP.

- Integration of SuDS and pollution control measures.
- Avoidance of watercourse crossings where feasible.
- Design of infrastructure to withstand extreme flood events.

5.6.9 These measures have been incorporated into the assessment of likely significant effects and are considered sufficient to mitigate potential impacts on hydrology and hydrogeology receptors.

Summary of Proposed Mitigation (Embedded and Additional) and Residual Effects

5.6.10 Construction activities may introduce risks of sediment release, chemical pollution, and increased runoff from temporary impermeable surfaces. These effects are predicted to be minor and not significant with standard controls. Operational impacts include potential changes to runoff patterns and pollution risk from site activities, but these are mitigated through SuDS and pollution prevention protocols. Flood risk remains managed through raised substation plinths and embedded design measures. Residual effects across all phases are assessed as negligible to minor and not significant in EIA terms as summarised below.

5.6.11 The applicants' ES Volume 1, Chapter 8: Hydrology and Hydrogeology identifies residual hydrology and hydrogeology effects, and these are summarised below. Any significant effects are also summarised in ES Volume 1, Chapter 17: Summary of LSE.

Summary of Likely Residual Hydrology and Hydrogeology Effects

Receptor	Residual Effect and Significance
Construction	
Surface Waters (ordinary watercourses and main rivers)	Minor (Adverse; chemical pollution and sediment release managed via CEMP/SuDS; altered flow paths and runoff negligible) – Not Significant
Groundwater (unproductive strata and Secondary A)	Minor (Adverse; pollution risk during works controlled by CEMP; negligible effect on recharge) – Not Significant
Coastal Waters (North Sea)	Minor (Adverse; marine transfer/use if required pollution/sediment risks controlled by CEMP) - Not Significant
People and property on/off site (flood risk)	Minor (Adverse; temporary increase in runoff managed by construction drainage) – Not Significant
Local potable water supply system	Minor (Adverse; temporary construction demand – negligible; managed through efficient use) – Not Significant
Watercourse crossings	Minor (Adverse; short-term sediment risk during construction – controlled by buffers and best practice) – Not Significant
Operation	
Surface Waters (ordinary watercourses and main rivers)	Minor (Adverse; accidental spills and increased runoff/flow path changes mitigated by drainage design and SuDS) – Not Significant

Receptor	Residual Effect and Significance
Groundwater (unproductive strata and Secondary A)	Minor (Adverse; pollution risk from maintenance spills – mitigated by drainage design; negligible recharge effects) – Not Significant
Coastal Waters (North Sea)	Minor (Adverse; accidental spills – mitigated by drainage design) – Not Significant
People and property on/off site (flood risk)	Minor (Adverse; runoff from hardstanding managed by SuDS; on-site critical infrastructure raised above design flood levels) – Not Significant
Watercourses (crossings in operation)	Minor (Adverse; blockage risk controlled through design capacity and maintenance) – Not Significant
Local potable water supply system	Minor (Adverse; intermittent operational demand for fire mitigation – negligible) – Not Significant
Decommissioning	
Surface Waters (ordinary watercourses and main rivers)	Minor (Adverse; similar to construction – pollution/sediment risks managed via DEMP) – Not Significant
Groundwater (unproductive strata and Secondary A)	Minor (Adverse; similar to construction – low pollution risk managed via DEMP) – Not Significant
Coastal Waters (North Sea)	Minor (Adverse; if marine handling used – controls as per DEMP) – Not Significant
People and property on/off site (flood risk)	Minor (Adverse; temporary runoff during works managed) – Not Significant

5.6.12 Embedded measures include a CEMP and a site-specific Flood Risk Assessment. Temporary controls such as silt fencing, bunding, and wheel washing will manage sediment and runoff during construction. Operational measures include SuDS for hardstanding areas, pollution prevention protocols, and raising sensitive infrastructure above design flood levels. Buffer zones around watercourses and appropriate water-resistant materials will further reduce risk.

5.6.13 Critical infrastructure, including the substation, will be elevated on plinths 2.1 metres above ground level, exceeding the estimated peak flood depth of 0.9 m associated with a 1 in 1000-year flood event. This design provides a 600 mm freeboard to ensure operational continuity during extreme flood scenarios. Additionally, turbine bases will be constructed 1 metre above surrounding ground levels. These elevations have been informed by site-specific flood risk modelling and climate change allowances, including projected sea level rise and increased rainfall intensity, in accordance with the NPPF and Environment Agency guidance.

5.6.14 Due to high groundwater levels and the presence of low-permeability London Clay and Thames Group formations, infiltration-based drainage is not feasible. As such, the drainage strategy incorporates surface-based SuDS features.

5.6.15 Embedded measures include the use of SuDS, buffer zones around watercourses, bunded fuel storage, silt fencing and a CEMP, ensuring the development remains resilient over its operational lifetime.

Policy Compliance and Applicable Weight

5.6.16 The Proposed Development complies with the NPPF by addressing flood risk and promoting climate resilience. It aligns with operative NPS EN-1 and NPS EN-3, which require assessment of water quality, hydrology, and flood risk, and adoption of SuDS and climate adaptation measures. Draft NPS EN-1 and Draft NPS EN-3 reinforce these requirements and introduce CNP status for renewable energy projects, giving substantial weight to the urgent need for clean power. Local compliance is demonstrated through Maldon LDP Policies D1, D2, and N2, which require protection of water resources and integration of sustainable drainage. Residual effects are negligible or minor and do not outweigh the national need for renewable energy infrastructure.

5.7 Cultural Heritage and Archaeology

5.7.1 The applicant's assessment contained within ES Volume 1, Chapter 9: Cultural Heritage and Archaeology accords with the Planning (Listed Buildings and Conservation Areas) Act 1990 and was undertaken in line with NPPF Section 16, Historic England guidance (GPA2/3), and Maldon LDP Policy D3. It has also been informed by dialogue with Historic England, ECC Place Services and MDC during Scoping and follow up engagement.

Baseline and Key Receptors

5.7.2 The baseline was established through desk-based research, Historic Environment Record (HER) data, aerial imagery, Light Detection and Ranging (LiDAR), and field surveys (including magnetometer survey in September 2025). Key findings:

- Designated assets within the Site: None.
- Within Scoping boundary: − Five Grade II listed buildings (Court Farmhouse and associated structures, Bridgewick Cottages, Old Montsale). − One Scheduled Monument (WWII minefield control tower and pillbox). − One locally listed building (Middlewick Farm).
- Non-designated assets: 29 HER records and eight newly identified features (e.g., sea defences, decoy ponds, WWII diver sites).
- Setting study area: Includes Grade I and II* listed churches (e.g., Chapel of St Peter-on-the Wall), Bradwell Lodge, and Scheduled Monuments (Saxon Shore Fort, hillfort, decoy pond).
- Archaeological potential: Low to medium for prehistoric and Roman remains; medium for post-medieval and modern; unknown assets possible.

Summary of Relevant Consultation and Outcomes

5.7.3 Consultation with Historic England, MDC, and ECC (Place Services) shaped the scope and methodology. Historic England requested assessment of designated assets, visualisations from key viewpoints, and design measures to maintain open settings. MDC confirmed that built and buried heritage should be assessed in accordance with Historic England guidance on setting. ECC highlighted the archaeological significance of Red Hills and required a desk-based assessment, aerial mapping, geophysical survey, and trial trenching, the latter to be secured by condition. These requirements have been addressed through ES studies (such as the Archaeological Desk-Based Assessment and Stage 1 Setting Assessment) and iterative design changes, including removal of three turbines to reduce setting impacts.

Summary of Proposed Mitigation (Embedded and Additional) and Residual Effects

5.7.4 Mitigation follows the mitigation hierarchy, combining embedded design measures with procedural controls. Turbine layout was refined to reduce visibility from sensitive viewpoints. An oCDEMP includes archaeological protocols, and a Written Scheme of Investigation (WSI) will govern pre commencement evaluation, excavation, and watching briefs. Standing assets such as pillboxes will be fenced and signed to prevent accidental damage. Below provide residual effects summaries across both the construction and operation phases. Decommissioning is excluded from assessment because all ground disturbance will have occurred during construction.

5.7.5 The applicant's ES Volume 1, Chapter 9: Cultural Heritage and Archaeology identifies residual cultural heritage and archaeological effects, and these are summarised below. Any significant effects are also summarised in ES Volume 1, Chapter 17: Summary of LSE.

Summary of Likely Residual Cultural Heritage and Archaeology Effects

Receptor	Residual Effect and Significance
Construction	
Known non-designated heritage assets within the Site (HA6/HER16018 former sea defences; HER16006 and HA5 cropmarks; HER16005 sea defences E of Grange Farm; HER16015 former Diver Site; HER16004 decoy pond cropmarks; HER16007 sea defences NW of Brook Farm)	Negligible (Adverse) after archaeological mitigation (WSI-led evaluation/recording); Not Significant
Standing structure at risk of accidental damage – Pillbox NE of Deal Hall (HER10015)	No Effect (risk removed by fencing/exclusion within CEMP/WSI); Not Significant
Other nearby non-designated assets within 20 m of works (Enclosure HA3; Watch House HA1; Red earth area near Howe Farm HER2042; Diver Sites A6 HER21319, N49 HER21316, N41 HER16016)	Negligible (Adverse) after monitoring/mitigation and construction controls; Not Significant
Currently unknown archaeological remains within construction footprint	Negligible (Adverse) after WSI-secured evaluation/excavation/recording and preservation in situ where warranted; Not Significant
Designated assets (within Site)	No direct physical effects (none within Site); Not Significant
Operation	
WWII minefield control tower and pillbox SE of Holliwell Farm (SM 1020997)	Minor Adverse (setting change from distant turbine group) – Not Significant
Slight univallate hillfort S of End Way Farm (SM 1014142)	No Effect – Not Significant
Saxon shore fort (SM 1013834)	Minor Adverse (negligible magnitude at distance) – Not Significant
Decoy pond NE of Marsh House Farm (SM1013835)	Minor Adverse (limited views; key coastal view unaffected) – Not Significant

Receptor	Residual Effect and Significance
Grade II listed group at Court Farm (Bake/brewhouse 1111786; Barn 1337010; Court Farmhouse 1337009)	Negligible to Minor Adverse (limited contribution of wider views; group significance preserved) – Not Significant
Bridgewick Cottages (1111785)	Minor Adverse (turbines apparent in some views) – Not Significant
Old Montsale (1237455)	Negligible Adverse – Not Significant
Church of St Mary the Virgin, Burnham (1123763)	No Effect – Not Significant
Chapel of St Peter-on-the-Wall, Bradwell (1110942)	No Effect – Not Significant
Bradwell Lodge (1337401)	No Effect – Not Significant
Church of St Mary the Virgin, St Thomas and All Saints, Foulness (1147648)	Minor Adverse (potential limited blade tips behind spire in some views) – Not Significant
Church of St Nicholas, Tillingham (124774)	No Effect – Not Significant
Church of St Lawrence, Asheldham (1110970)	Minor Adverse (possible limited visibility behind tower) – Not Significant
Tillingham Conservation Area	No Effect – Not Significant
Non-designated standing buildings: Middlewick locally listed farmhouse; Howe Farm (HER45551); Tillingham Grange (HER45564)	Negligible to Minor Adverse (agricultural context remains legible) – Not Significant
Pillboxes: on sea wall S of Holliwell (HER10003); E of Coney Hall (HER10006); NE of Deal Hall (HER10015)	Negligible to Minor Adverse (nearest – HER10015) – Not Significant
Decommissioning	
All heritage receptors	Scoped out (no additional ground disturbance beyond construction footprint; effects reversible) – Not applicable

Policy Compliance and Weight

5.7.6 The Proposed Development accords with NPPF paragraphs 213 – 215, which require conserving heritage assets in a manner appropriate to their significance and avoiding substantial harm unless exceptional justification exists. All predicted effects are minor or negligible and reversible, meaning no substantial harm arises. Under NPS EN-1, section 5.8 requires robust assessment and mitigation of heritage impacts, while recognising the urgent need for low-carbon energy, which carries substantial weight. NPS EN-3 reinforces these principles for renewable energy projects. Updates arising from the Draft NPS updates strengthen the presumption in favour of clean energy while maintaining heritage protection, adding material weight to consent. Locally, Maldon LDP Policy D3 requires protection of heritage assets and their settings; the embedded design changes and mitigation strategy demonstrate compliance.

5.7.7 The Proposed Development has been designed to minimise heritage impacts, with embedded and additional mitigation to be secured through planning conditions. Residual effects are minor or negligible and not significant in EIA terms, and less than substantial harm arises under NPPF tests. To the extent that less than substantial harm arises for specific assets through setting change, this is weighed

against the public benefits of the proposal in accordance with NPPF (2024) Section 16 (paragraphs 213 – 215) and is clearly outweighed for the reasons set out in the Planning Balance section below. Compliance is demonstrated across national and local policy frameworks, and the urgent need for renewable energy under NPS EN-1 and NPS EN-3 carries substantial weight in the planning balance.

5.8 Transport and Access

5.8.1 This assessment draws on the applicant's ES Volume 1, Chapter 10: Transport and Access and the supporting ES Volume 3, Appendix 10.1: Transport Assessment. It considers the potential effects of the Proposed Development on the local and Strategic Road Network (SRN), PRoW, and non-motorised users during construction, operation, and decommissioning phases. The assessment follows the methodology set out in the Institute of Environmental Management and Assessment (IEMA) Guidelines for Environmental Assessment of Traffic and Movement (2023) and Design Manual for Roads and Bridges (DMRB) LA104 and addresses relevant national and local policy requirements.

Baseline and Key Receptors

5.8.2 The Site is accessed via Bridgewick Road, transitioning from the adopted highway to private control near Brooks Cottages. Strategic access is from the A130, with construction traffic routed via the A132, B1012, B1010, B1018, Green Lane, Highlands Hill, Foxhall Road, and the B1021. These roads are predominantly rural single carriageways with limited passing places.

5.8.3 During the peak construction month, up to 238 vehicle movements per day are anticipated, including approximately 194 HGV movements. These will be managed through a one-way routing system and use of the existing crane hardstanding on the River Crouch for AILs, significantly reducing impacts on the Strategic Road Network. Strategic access will be taken from the A130, with routing via the A132, B1012, B1010, B1018, Green Lane, Highlands Hill, Foxhall Road, and B1021, before reaching Bridgewick Road and the Site access.

5.8.4 Baseline traffic flows are low on minor roads and moderate on the B1018 and B1021. Air Traffic Control (ATC) surveys and DfT data confirm spare capacity across all links. Key sensitive receptors include:

- Road users on Bridgewick Road, Grange Road, Keelings Road, Hall Road (High sensitivity) and B1018, B1021, Green Lane, Foxhall Road (Medium sensitivity).
- Residents in Latchingdon (Medium), Tillingham (Medium), Asheldham and Dengie (Low).
- PRoW users within and adjacent to the Site (High sensitivity).

Summary of Relevant Consultation and Outcomes

5.8.5 Consultation with National Highways (NH) confirmed no significant impact on the SRN given the proposed routing strategy and low trip volumes relative to SRN capacity. NH requested reference to DfT Circular 01/2022 and engagement on AIL routing; this will be addressed post-consent via condition.

5.8.6 Essex Highways required a full Transport Assessment and a Construction Workers Travel Plan. These have been provided in the applicant's ES Volume 3, Appendix 10.1: Transport Assessment, with detailed measures secured by condition. Concerns

regarding passing places and PRoW interactions have informed embedded mitigation and the OAMP.

5.8.7 Public feedback highlighted concerns about HGV movements on narrow rural roads and potential conflicts with walkers and cyclists. These have been addressed through one-way routing, passing place review, and advisory speed limits.

Summary of Proposed Mitigation and Residual Effects

5.8.8 Construction Phase Embedded Measures:

- One-way routing system to minimise two-way HGV conflicts.
- Use of the existing crane hard standing to enable AIL deliveries via River Crouch and reduce AIL deliveries to Site via the wider road network.
- Construction Traffic Management Plan (CTMP) covering routing, timing, signage, and driver protocols.
- Staff Travel Plan to manage workforce travel and encourage car-sharing.
- OAMP for PRoW safety, including temporary diversions and crossing points.
- Advisory speed limits and vegetation clearance at key junctions.
- Pre-construction condition surveys and agreements with ECC for abnormal wear and tear.

5.8.9 Residual Effects:

- With mitigation, all effects (severance, delay, amenity, fear / intimidation, road safety) are assessed as Minor or Negligible and therefore Not Significant in EIA terms. Effects are temporary and reversible.

5.8.10 Three Public Rights of Way (Footpaths 35 Tillingham, 21 Southminster and 11 Dengie) intersect the RLB. An OAMP will secure measures to maintain safe access, including temporary diversions, crossing points with priority for path users. No permanent stopping up of PRoWs is proposed and all measures will be agreed with the local highway authority and secured by condition.

Operational Phase

5.8.11 Traffic limited to occasional maintenance visits (up to two vehicles per week). No significant effects anticipated.

Decommissioning Phase

5.8.12 Traffic levels are expected to be lower than during construction. Effects will be temporary and not significant.

5.8.13 ES Volume 1, Chapter 10: Transport and Access identifies residual transport and access effects, and these are summarised below. Any significant effects are also summarised in ES Volume 1, Chapter 17: Summary of LSE.

Summary of Likely Residual Transport and Access Effects

Receptor	Residual Effect and Significance
Construction	
Bridgewick Road / Keelings Road / Hall Road / Grange Road (High Sensitivity)	Minor Adverse (temporary increase in HGV traffic; managed via CTMP, one-way routing, passing places, speed controls) – Not Significant

Receptor	Residual Effect and Significance
B1018 / Green Lane / Highlands Hill / Foxhall Road / B1021 (Medium Sensitivity)	Minor Adverse (increased traffic flows; mitigated through routing protocol, signage, driver induction) – Not Significant
Settlements: Latchingdon (Medium), Tillingham (Medium), Asheldham and Dengie (Low)	Minor Adverse (temporary traffic and amenity effects; mitigated via Staff Travel Plan, communication measures) – Not Significant
PRoW / Path Network Users (High Sensitivity)	Minor Adverse (temporary interaction with construction traffic; mitigated via **OAMP**, crossing points, signage, speed limits) – Not Significant
Operation	
All receptors	Negligible Adverse (occasional maintenance traffic only; managed via standard protocols) – Not Significant
Decommissioning	
All receptors	Minor Adverse (lower traffic volumes than construction; similar controls via Decommissioning Traffic Management Plan) – Not Significant

Policy Compliance and Applicable Weight

5.8.14 The Proposed Development complies with:

- NPPF paragraph 115, requiring safe and suitable access and mitigation of significant transport impacts.
- Maldon LDP Policy D4, supporting renewable energy schemes where transport impacts are acceptable and mitigated.
- NPS EN-1 (Section 5.13) and NPS EN-3, which require applicants to demonstrate that transport impacts, including AIL movements, are managed through enforceable measures.
- Draft NPS EN-1 introduces CNP status for clean energy projects, strengthening the presumption in favour of consent where residual impacts remain after mitigation.
- Draft NPS EN-3 confirms that transport effects during construction should be minimised through embedded design and enforceable measures, and that cumulative impacts should be managed collaboratively.

5.8.15 Given the urgent national need for renewable energy infrastructure, as set out in both operative and draft NPS documents, substantial weight should be afforded to the benefits of the Proposed Development. Residual transport impacts are minor, temporary, and do not outweigh the national need for clean power.

5.9 Noise and Vibration

5.9.1 This section summarises the findings of the applicant's ES Volume 1, Chapter 11: Noise and Vibration for the Proposed Development. It considers potential effects during construction, operation, and decommissioning phases, referencing ETSU-R-97, BS 5228, and Institute of Acoustics (IOA) Good Practice Guidance. The assessment identifies embedded design measures, additional mitigation, and residual effects in accordance with EIA Regulations (Schedule 4 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017). Vibration

effects were scoped out of the assessment in the ES, as they were not expected to be significant during construction, operation, or decommissioning phases.

Baseline and Key Receptors

5.9.2 Baseline noise monitoring was undertaken at four representative locations between January and March 2025 by the applicant, using a methodology agreed with MDC. Background noise levels were typically low, ranging from 21 – 26 dB LA90 at night and 24 – 27 dB LA90 during quiet daytime periods, increasing with wind speed. The study area for operational noise was defined by the 35 dB LA90 contour, while construction noise was assessed within 300 m of works and traffic noise within 50 m of affected road links. Key receptors include residential properties such as Old Montsale Farm, Bridgewick Farmhouse, Middlewick Farmhouse, Brook Cottage, and others within these study areas. All receptors are residential and therefore considered highly sensitive to potential noise impacts, these receptors are summarised in Table below.

Summary of Relevant Consultation and Outcomes

5.9.3 Consultation with MDC confirmed the scope of assessment, including operational turbine noise, construction noise, and traffic noise. A meeting with MDC's Environmental Health Officer in June 2025 agreed the baseline monitoring methodology and assessment approach. Public concerns focused on construction traffic noise and operational turbine noise, which have been addressed through embedded mitigation measures such as turbine constraint modes and a CTMP.

Summary of Proposed Mitigation (Embedded and Additional) and Residual Effects

5.9.4 During construction, noise will be managed through a CEMP and a CTMP. Embedded mitigation measures include the strategic siting of plant, use of quieter equipment, temporary hoardings and maintenance of noise control features such as silencers and attenuators. Despite these measures, short-term significant adverse effects are predicted at some receptors due to construction traffic, particularly along Road Links 2, 3, 5, 7, and 8 (refer ES Volume 1, Chapter 11: Noise and Vibration). These effects are temporary and will be mitigated through routing strategies and timing restrictions.

5.9.5 Operational noise will be controlled through turbine constraint modes, ensuring compliance with ETSU-R-97 limits. With these measures in place, operational noise effects are assessed as not significant. Decommissioning is expected to involve similar activities to construction but at greater distances from receptors, resulting in negligible impacts.

5.9.6 The applicant's ES Volume 1, Chapter 11: Noise and Vibration identifies residual noise and vibration effects, and these are summarised below. Any significant effects are also summarised in ES Volume 1, Chapter 17: Summary of LSE.

Summary of Likely Residual Noise and Vibration Effects

Receptor	Residual Effect and Significance
Construction	
Bridgewick Road / Keelings Road / Hall Road / Grange Road (High Sensitivity)	Minor Adverse (temporary increase in HGV traffic; managed via CTMP, one-way routing, passing places, speed controls) – Not Significant

Receptor	Residual Effect and Significance
B1018 / Green Lane / Highlands Hill / Foxhall Road / B1021 (Medium Sensitivity)	Minor Adverse (increased traffic flows; mitigated through routing protocol, signage, driver induction) – Not Significant
Settlements: Latchingdon (Medium), Tillingham (Medium), Asheldham and Dengie (Low)	Minor Adverse (temporary traffic and amenity effects; mitigated via Staff Travel Plan, communication measures) – Not Significant
PRoW / Path Network Users (High Sensitivity)	Minor Adverse (temporary interaction with construction traffic; mitigated via **OAMP**, crossing points, signage, speed limits) – Not Significant
Operation	
All receptors	Negligible Adverse (occasional maintenance traffic only; managed via standard protocols) – Not Significant
Decommissioning	
All receptors	Minor Adverse (lower traffic volumes than construction; similar controls via Decommissioning Traffic Management Plan) – Not Significant

Policy Compliance and Applicable Weight

5.9.7 The Proposed Development complies with the NPPF, which requires avoidance of significant adverse noise impacts and mitigation of residual effects, and with the Noise Policy Statement for England (NPSE), which promotes minimisation of adverse impacts on health and quality of life. It also accords with Maldon LDP Policies D1, D2, and D4, which require protection of amenity and minimisation of noise impacts.

5.9.8 At the national level, the NPS EN-1 (Section 5.11) and NPS EN-3 require assessment and mitigation of noise impacts, balancing these against the urgent need for renewable energy. The draft NPS EN-1 introduces CNP status for clean energy projects, giving substantial weight to their benefits even where residual impacts remain after mitigation.

5.9.9 Given the urgent national need for renewable energy infrastructure, substantial weight should be afforded to the benefits of the Proposed Development. Residual noise impacts are temporary, minor, and do not outweigh national policy objectives.

5.10 Socio-Economics

5.10.1 This section summarises the findings of the applicant's ES Volume 1, Chapter 12: Socio-Economics for the Proposed Development. It considers potential socio-economic effects during construction and operation, including employment, economic activity, tourism and land use. The applicant's assessment draws on official data sources, accepted methodologies for economic impact analysis, professional judgement and references relevant national and local policy.

Baseline and Key Receptors

5.10.2 The baseline assessment covers Maldon District and the wider Eastern region. Maldon has a population of 66,611, with 82% employment among working-age residents, slightly above regional and national averages. Key sectors include retail,

manufacturing, accommodation and food services, and construction. Tourism is an important contributor to the local economy, with 3.7 million visitors annually and £227.8 million in gross revenue supporting nearly 3,000 jobs. Receptors include the local labour market, tourism and visitor economy and agricultural land use.

Summary of Relevant Consultation and Outcomes

5.10.3 Consultation with MDC confirmed the need to assess socio-economic benefits and tourism effects. Natural England requested consideration of contributions to local environmental initiatives. The Maldon and Dengie Ramblers Association highlighted the importance of maintaining safe and accessible footpaths. MDC emphasised the need to quantify employment and GVA impacts and assess potential effects on tourism and recreation. These points have informed the scope and methodology of the applicant's assessment.

Summary of Proposed Mitigation (Embedded and Additional) and Residual Effects

5.10.4 The Proposed Development incorporates measures to maximise benefits and minimise adverse effects. These include commitments to local supply chain engagement, a community benefits fund[2], and amenity enhancements through hedgerow and tree planting. During construction, temporary diversions will maintain safe access to footpaths and PRoWs, and agricultural activity will continue where possible.

5.10.5 Residual effects during construction include significant beneficial impacts on employment and GVA. The project is expected to support an annual average of 111 net additional FTE jobs locally and 279 regionally, generating £11.3 million GVA locally and £28.6 million regionally. These effects are considered moderate and significant in EIA terms. Tourism and land use effects during construction are negligible and not significant.

5.10.6 During operation, employment effects are minor, with eight net additional FTE jobs locally and 19 regionally, and £60 million GVA locally over the operational period. Tourism and land use impacts are negligible, with land use effects assessed as minor beneficial due to revenue diversification for landowners. All operational effects are considered not significant in EIA terms.

5.10.7 The applicant's ES Volume 1, Chapter 12: Socio-Economics identifies residual socioeconomic effects, and these are summarised below. Any significant effects are also summarised in ES Volume 1, Chapter 17: Summary of LSE.

Summary of Likely Residual Socio-Economic Effects

Receptor	Residual Effect and Significance
Construction	
Labour market and economy	Moderate beneficial – **Significant**
Tourism and visitor economy	Negligible – Not Significant
Land use	Negligible – Not Significant
Operation	
Labour market and economy	Negligible – Not Significant
Tourism and visitor economy	Negligible – Not Significant
Land use	Minor beneficial – Not Significant

[2] Not a material consideration in MDC's planning balance.

Policy Compliance and Applicable Weight

5.10.8 The Proposed Development complies with the NPPF, which supports economic growth and sustainable development, and with NPS EN-1 and NPS EN-3, which require consideration of socio-economic benefits including job creation and contributions to low-carbon industries. Local policy in the Maldon LDP (Policies E4 and D4) supports rural diversification and renewable energy development where impacts are acceptable.

5.10.9 Draft NPS EN-1 introduces CNP status for clean energy projects, giving substantial weight to their benefits even where residual impacts remain after mitigation. Given the urgent national need for renewable energy and the significant socio-economic benefits identified during the construction phase, the Proposed Development accords with national and local policy objectives.

5.11 Greenhouse Gas Emissions (GHG) and Climate Change

5.11.1 This section summarises the applicant's ES Volume 1, Chapter 14: GHG and Climate Change for the Proposed Development. The assessment quantifies GHG emissions across the full lifecycle of the Proposed Development — construction, operation, and decommissioning — and evaluates its contribution to national decarbonisation objectives. It also considers climate change resilience measures to ensure the Proposed Development remains robust under future climate scenarios.

Baseline and Key Receptors

5.11.2 The baseline comprises two scenarios: the Site baseline (agricultural land with negligible change in emissions post-development) and the Energy Baseline (electricity generated by a natural gas-fired Combined Cycle Gas Turbine (CCGT), assumed to operate unabated until 2034 and with Carbon Capture and Storage (CCS) from 2035 onwards). The sensitive receptor for GHG emissions is the global atmosphere, as emissions contribute cumulatively to climate change rather than affecting local receptors.

Summary of Relevant Consultation and Outcomes

5.11.3 Consultation responses from NE and MDC emphasised the need for a whole-life GHG assessment and consideration of climate resilience. Key issues included quantifying lifecycle emissions, assessing net GHG savings, and incorporating nature-based solutions. These requirements have been addressed through embedded mitigation measures and alignment with Institute of Sustainability and Environmental Professionals (ISEP) guidance on GHG significance.

Summary of Proposed Mitigation and Residual Effects

5.11.4 Lifecycle GHG emissions of the Proposed Development are estimated at 75,748 tCO_2e (tonnes of carbon dioxide equivalent), comprising approximately 54,466 tCO_2e during construction, 16,020 tCO_2e during operation, and 5,261 tCO_2e during decommissioning, equating to a carbon intensity of 5.12 gCO_2e/kWh over 40 years. Operational emissions alone (16,020 tCO_2e or 1.08 gCO_2e/kWh) are significantly lower than fossil fuel alternatives. Embedded measures include minimising SF_6 (Sulfur Hexaflouride) leakage, optimising transport logistics, and implementing biodiversity enhancements for carbon sequestration.

5.11.5 The Proposed Development will generate approximately 370,000 MWh annually, delivering 14,800,800 MWh over its operational life. Compared to the Energy

Baseline, this results in an estimated GHG saving of 2.18 million tCO_2e, with a carbon payback period of just over two years. These effects represent a significant beneficial impact in EIA terms, supporting the UK's trajectory to net zero.

5.11.6 Climate resilience measures (such as SuDS features, flood risk management, and heat-tolerant planting) ensure no significant adverse effects from future climate hazards.

5.11.7 The Tables below summarise the GHG footprint of the Proposed Development and the anticipated GHG savings when compared to the aforementioned Energy Baseline.

Lifecycle GHG Footprint of Proposed Development

Lifecycle Stage	**GHG Emissions (tCO_2e)**
Construction	54,466
Operation	16,020
Decommissioning	5,261
Total	75,748

GHG Savings Compared to Energy Baseline

Comparison	**Value**
Annual Generation (MWh)	370,000
Lifetime Generation (MWh)	14,800,800
GHG Savings vs CCGT with CCS (tCO_2e)	2,181,767

5.11.8 The applicant's ES Volume 1, Chapter 14: GHG and Climate Change identifies residual GHG and climate change effects, and these are summarised below. Any significant effects are also summarised in ES Volume 1, Chapter 17: Summary of LSE.

Summary of Likely Residual GHG and Climate Change Effects

Receptor	Residual Effect and Significance
Construction	
Global atmosphere	Minor adverse; mitigated via **oCDEMP** – Not Significant
Operation	
Global atmosphere	Significant beneficial due to net GHG savings and renewable energy contribution – **Significant**
Decommissioning	
Global atmosphere	Minor adverse; mitigated via **oCDEMP** – Not Significant

Policy Compliance and Applicable Weight

5.11.9 The Proposed Development complies with NPS EN-1 requirements for whole-life GHG assessment and resilience planning and aligns with NPS EN-3 objectives for accelerating renewable energy deployment. It supports the Clean Power 2030 Action Plan and contributes to Essex and Maldon climate strategies by generating sufficient renewable electricity to power the district and over 7% of Essex's annual demand.

5.11.10 Given its substantial GHG savings as a significant beneficial effect, and alignment with national and local policy, the Proposed Development should be afforded considerable weight in the planning balance as a critical enabler of a secure, affordable, and low-carbon energy system.

5.12 Human Health

5.12.1 This section summarises the findings of the applicant's ES Volume 1, Chapter 15: Human Health for the Proposed Development. It considers potential health effects during construction, operation, and decommissioning phases, drawing on IEMA guidance and relevant public health data. The assessment evaluates determinants such as noise, visual amenity, shadow flicker, and socio-economic factors, and identifies embedded mitigation measures to minimise adverse impacts and enhance positive outcomes.

Baseline and Key Receptors

5.12.2 The study area includes site-specific populations within approximately 1.5 km of the Proposed Development and the wider Maldon District. Baseline health indicators show Maldon performs better than the England average for most metrics, with higher life expectancy and lower deprivation. Vulnerable groups include older adults (25% of the population), individuals with limiting long-term illness, and those with lower educational attainment and economic activity.

5.12.3 Key receptors are the general population, which is broadly healthy, and vulnerable sub-populations comprising older people, those with poor health, low income, or neurodiversity and residents with near views of turbines or exposure to noise / shadow flicker. The Table below summarises the health determinants and the sensitivity of the General Population and Vulnerable Group, as outlined within ES Volume 1, Chapter 15: Human Health.

Summary of Health Determinants and Sensitivity

Health Determinant	General Population Sensitivity	Vulnerable Group Sensitivity
Noise and Vibration	Low	High
Visual Amenity / Community Identity	Low	High
Shadow Flicker	Low	High
Socio-economic (Employment, Training)	Low	High

Summary of Relevant Consultation and Outcomes

5.12.4 Consultation with MDC and ECC confirmed the scope of assessment, including noise, visual amenity, shadow flicker, and socio-economic determinants. Local health teams did not request detailed engagement, but the assessment adheres to Essex Health Impact Assessment guidance and integrates IEMA best practice.

Summary of Proposed Mitigation (Embedded and Additional) and Residual Effects

5.12.5 Embedded measures include noise control through turbine constraint modes and a CEMP, visual mitigation through site selection and planting schemes, shadow flicker mitigation via automated turbine shutdown protocols, and socio-economic enhancement through local employment and training opportunities.

5.12.6 Residual effects during construction include Minor Adverse for noise and visual amenity and Minor Beneficial for employment and training, all not significant. During operation, noise and visual amenity effects are Minor Adverse, shadow flicker is Minor / Negligible Adverse, and socio-economic effects remain Minor Beneficial, all of which are considered not significant. Decommissioning effects mirror those of construction and are not significant. The Table below summarises the residual human health effects (both beneficial and adverse) and their significance as assessed within ES Volume 1, Chapter 15: Human Health.

5.12.7 The applicant's ES Volume 1, Chapter 15: Human Health identifies residual human health effects, and these are summarised in the Table below. Any significant effects are also summarised in ES Volume 1, Chapter 17: Summary of LSE.

Summary of Likely Residual Human Health Effects

Receptor	Residual Effect and Significance
Construction	
Brook Cottages (1 and 2)	Minor Adverse (Noise and Visual); mitigated via CEMP – Not Significant
East Ware Cottages (1 and 2)	Minor Adverse (Visual); mitigated via CEMP – Not Significant
Other residential properties within 1.5Km	Minor Adverse (Visual); mitigated via CEMP – Not Significant
Residents along Bridgewick, Keelings, Hall, Grange Roads	Minor Adverse (Traffic Noise); mitigated via CTMP – Not Significant
Wider Maldon / Essex population	Minor Beneficial (Employment and Training); short-term – Not Significant
Operation	
Brook Cottages (1 and 2)	Minor Adverse (Noise and Visual); mitigated via turbine constraint modes – Not Significant
East Ware Cottages (1 and 2)	Minor Adverse (Visual); mitigated via design – Not Significant
Other residential properties within 1.5 Km	Minor Adverse (Visual); mitigated via design – Not Significant
Properties within shadow flicker zone (up to 10 rotor diameters)	Minor/Negligible Adverse (Shadow Flicker); mitigated via turbine shutdown protocol – Not Significant
Decommissioning	
Brook Cottages (1 and 2)	Minor/Negligible Adverse (Noise and Visual); mitigated via **oCDEMP** – Not Significant
East Ware Cottages (1 and 2)	Minor/Negligible Adverse (Visual); mitigated via **oCDEMP** – Not Significant
Other residential properties within 1.5Km	Minor/Negligible Adverse (Visual); mitigated via **oCDEMP** – Not Significant
Wider Maldon / Essex population	Minor Beneficial (Employment); short-term – Not Significant

Policy Compliance and Applicable Weight

5.12.8 The Proposed Development aligns with the NPPF objectives for healthy, inclusive communities and supports Policy I2 of the Maldon LDP by promoting wellbeing through environmental quality and economic opportunity. It also contributes to

national health priorities by reducing health inequalities indirectly through socio-economic benefits and supporting a low-carbon economy, consistent with NPS EN-1 and NPS EN-3. Given the urgent national need for renewable energy infrastructure, substantial weight should be afforded to the benefits of the Proposed Development. Residual health impacts are temporary, minor, and do not outweigh national policy objectives.

5.13 Major Accidents and Disasters

5.13.1 This section summarises the findings of the applicant's ES Volume 1, Chapter 13: Major Accidents and Disasters for the Proposed Development. The assessment focuses on aviation-related risks during construction, operation, and decommissioning phases, as these represent the most relevant potential sources of major accidents. It draws on guidance from the CAA and the IEMA and incorporates technical input from the applicant's Aviation and Telecommunications Technical Report.

Baseline and Key Receptors

5.13.2 The Site lies within the safeguarding zone for London Southend Airport and is anticipated to be within radar line of sight of NATS En Route Limited (NERL) radars and Wattisham Flying Station. It is located approximately 17 km northeast of Southend Airport, partially inside controlled airspace, and within daytime military Low Flying Area 10 and night Low Flying Area NRR 10. Sensitive receptors include Southend Airport runway 23 and associated Instrument Flight Procedures (IFPs), military low flying routes, and primary surveillance radars at Southend Airport, NERL (Debden and Stansted), and Wattisham Flying Station. The Table below describes each of these sensitive receptors as identified within the applicant's Aviation and Telecommunications Technical Report.

Sensitive Receptors

Receptor	Description
Southend Airport	Runway 23 and associated IFPs
Military Low Flying Areas (LFA)	Daytime LFA 10 and Night LFA Night Rotary Regions (NRR) 10
Southend Airport Radar	Leonardo ATCR-33SE Point of Safe Return (PSR)
NERL Radars	Debden and Stansted PSRs
Wattisham Flying Station Radar	Thales STAR NG PSR

Summary of Relevant Consultation and Outcomes

5.13.3 Consultation with MDC, NERL, the MoD, and Southend and Stansted Airports confirmed the scope of assessment and identified key concerns, including potential radar interference, Obstacle Limitation Surface (OLS) compliance, effects on IFPs, and risks to military low flying operations. These issues have been addressed through radar modelling, OLS analysis, and ongoing engagement with stakeholders.

Summary of Proposed Mitigation (Embedded and Additional) and Residual Effects

5.13.4 Mitigation measures include compliance with statutory requirements for aviation lighting and prior notification to the CAA and MoD, application of radar mitigation techniques such as Non-Auto Initiation Zones (NAIZ) and in-fill radar coverage and suspensive planning conditions requiring approval and implementation of radar and IFP mitigation schemes prior to operation. Proposed mitigation measures are

contained within the Table below. During construction, no significant aviation risks are anticipated as turbines remain stationary. Crane use will require a Crane Notification process in advance of construction, via the CAA, however this exercise will sit outside the planning process and is not planning matter. Operational radar visibility will be mitigated through technical measures agreed with airports and NERL, and IFP impacts are minimal and addressed by raising Air Traffic Control Surveillance Minimum Altitude Chart (ATCSMAC) levels without operational consequences. Decommissioning is expected to involve similar activities to construction, resulting in negligible impacts. Overall, with mitigation in place, the Proposed Development will not result in significant environmental effects related to Major Accidents and Disasters.

Mitigation Measures

Measure	Purpose
Aviation lighting and CAA / MoD Notification	Ensure compliance with statutory safety Requirements
Radar mitigation (NAIZ, in-fill coverage)	Prevent false plots and maintain radar Performance
Suspensive planning conditions	Secure implementation of mitigation before Operation
IFP adjustments	Maintain safe instrument flight procedures
Ongoing stakeholder engagement	Resolve operational concerns and agree technical solutions

5.13.5 The applicant's ES Volume 1, Chapter 13: Major Accidents and Disasters identifies residual major accidents and disasters effects, and these are summarised in the Table below. Any significant effects are also summarised in ES Volume 1, Chapter 17: Summary of LSE.

Summary of Likely Residual Major Accidents and Disasters Effects

Receptor	Residual Effect and Significance
Construction	
Southend Airport runway 23	No infringement of obstacle limitation surfaces; compliance with OLS confirmed – Not Significant
Daytime Military LFA 10 / Night LFA NRR 10	Aviation safety lighting and prior notification to MoD; legal compliance – Not Significant
Southend Airport PSR	No radar impact during construction (rotors stationary) – Not Significant
NERL PSRs at Debden and Stansted	No radar impact during construction (rotors stationary) – Not Significant
Wattisham PSR	No radar impact during construction (rotors stationary) – Not Significant
Operation	
Southend Airport runway 23	No infringement of OLS; ATCSMAC raised to maintain clearance; mitigation secured by condition – Not Significant
Daytime Military LFA 10 / Night LFA NRR 10	Aviation safety lighting fitted; structures charted; compliance with ANO – Not Significant

Receptor	Residual Effect and Significance
Southend Airport PSR	Radar mitigation via NAIZ agreed with airport; secured by condition – Not Significant
NERL PSRs at Debden and Stansted	Radar mitigation via in-fill coverage; secured by condition – Not Significant
Wattisham PSR	Operational measures applied; no additional mitigation required – Not Significant
Decommissioning	
Southend Airport runway 23	No infringement of obstacle limitation surfaces; compliance with OLS confirmed – Not Significant
Daytime Military LFA 10 / Night LFA NRR 10	Aviation safety lighting and prior notification to MoD; legal compliance – Not Significant
Southend Airport PSR	No radar impact during construction (rotors stationary) – Not Significant
NERL PSRs at Debden and Stansted	No radar impact during construction (rotors stationary) – Not Significant
Wattisham PSR	No radar impact during construction (rotors stationary) – Not Significant

Policy Compliance and Applicable Weight

5.13.6 The Proposed Development complies with the EIA Regulations requiring consideration of Major Accidents and Disasters, DfT Circular 1/2003 with respect to aerodrome safeguarding, and with CAA guidance on wind turbine safeguarding. It also aligns with the NPPF provisions for assessing risks from major hazards and infrastructure. Mitigation measures are consistent with statutory obligations under the Air Navigation Order (2016) and MoD requirements. Given the absence of residual significant risks and the urgent national need for renewable energy infrastructure, the Proposed Development accords with policy objectives and should be afforded substantial weight in the planning balance.

5.14 Shadow Flicker

5.14.1 This section summarises the findings of the applicant's Shadow Flicker Assessment for the Proposed Development, as detailed in the Shadow Flicker Assessment. The assessment quantifies potential shadow flicker effects during the operational phase, considering worst-case and realistic scenarios, cumulative effects with nearby wind farms, and mitigation measures to ensure compliance with planning requirements.

Baseline and Key Receptors

5.14.2 The Proposed Development comprises 15 turbines with a maximum tip height of 200 m, located on the Dengie Peninsula. The surrounding area is predominantly rural, with the nearest settlement being Tillingham, approximately 3.2 km west. Within the 10-rotor diameter study area (1,750 m), 43 properties were identified as theoretically susceptible to shadow flicker, and 21 representative receptors were assessed in detail.

Summary of Relevant Consultation and Outcomes

5.14.3 Local planning policy requires shadow flicker analysis for turbines within 10 rotor diameters of a building and mandates mitigation where impacts are identified.

National guidance and draft NPS EN-3 recognise shadow flicker as a potential amenity issue and recommend turbine control systems as mitigation. International standards, such as German guidelines, set thresholds of 30 hours per year (worst case) and 8 hours per year (realistic case), which informed this assessment.

Summary of Proposed Mitigation (Embedded and Additional) and Residual Effects

5.14.4 Modelling using WindPro software predicted that shadow flicker could occur at all 21 assessed receptors. Under worst-case conditions, 16 receptors exceed the 30-hour annual threshold, and the same number exceed the 30-minute daily threshold. Realistic case modelling, which accounts for average sunshine hours, still shows exceedances at multiple receptors, with the highest predicted exposure being 58 hours per year at receptor SFAL12. Cumulative assessment identified two receptors (SFAL8 and SFAL14) where combined effects from the Proposed Development and Middlewick Wind Farm increase exposure significantly.

5.14.5 Mitigation will be implemented through turbine control systems equipped with light sensors and software to automatically shut down turbines when conditions for shadow flicker occur. This approach will reduce residual effects to near zero, ensuring compliance with planning requirements and eliminating significant impacts. The Table below outlines the mitigation measures included as part of the Proposed Development.

Embedded Mitigation Measures

Measure	Description
Turbine Control System	Automated shutdown during shadow flicker conditions
Light Sensors	Detect sunlight intensity and alignment
Software Integration	Implements shutdown protocol based on receptor data

5.14.6 Shadow Flicker Assessment identifies residual shadow flicker effects, and these are summarised in the Table below. Any significant effects are also summarised in the applicant's ES Volume 1, Chapter 17: Summary of LSE.

Summary of Likely Residual Shadow Flicker Effects

Receptor	Residual Effect and Significance
Construction	
Residential receptors within 10 rotor diameters (SFALs 1–21)	No routine shadow flicker (rotors not spinning); if brief testing occurs, controlled shutdown applies – Not Significant
Operation	
SFAL12	Pre-mitigation worst-case 146:27 h/yr; realistic 58:39 h/yr. Automated shutdown reduces exposure to near-zero – Not Significant
SFAL4	Pre-mitigation worst-case 117:02 h/yr; realistic 42:18 h/yr. Automated shutdown reduces exposure to near-zero – Not Significant
SFAL16	Pre-mitigation worst-case 114:28 h/yr; realistic 41:35 h/yr. Automated shutdown reduces exposure to near-zero – Not Significant

Receptor	Residual Effect and Significance
SFAL20	Pre-mitigation worst-case 119:24 h/yr; realistic 45:03 h/yr. Automated shutdown reduces exposure to near-zero – Not Significant
SFAL14 (cumulative with Middlewick WF)	Standalone worst-case 110:04 h/yr; realistic 40:25 h/yr; cumulative worst-case 127:46 h/yr; realistic 48:54 h/yr. Shutdown protocol – Not Significant
SFAL8 (cumulative with Middlewick WF)	Standalone worst-case 80:12 h/yr; realistic 37:06 h/yr; cumulative worst-case 118:41 h/yr; realistic 49:07 h/yr. Shutdown protocol – Not Significant
SFALs exceeding guideline thresholds (worst-case ≥30 h/yr): 1, 2, 3, 4, 5, 7, 8, 11, 12, 13, 14, 15, 16, 17, 20, 21	Automated shutdown protocol reduces residual exposure to near-zero – Not Significant
SFALs below guideline thresholds (worst-case <30 h/yr): 6, 9, 10, 18, 19	Limited pre-mitigation exposure; shutdown protocol available – Not Significant
Decommissioning	
Residential receptors within 10 rotor diameters (SFALs 1–21)	Same as construction: no routine shadow flicker; if testing occurs, controlled shutdown applies – Not Significant

Policy Compliance and Applicable Weight

5.14.7 The Proposed Development aligns with local and national policy by assessing shadow flicker impacts and committing to mitigation through operational controls. It reflects best practice guidance and international standards. Given the effectiveness of mitigation and the absence of residual significant effects, the Proposed Development should be afforded substantial weight in the planning balance as a contributor to renewable energy targets.

5.15 Cumulative effects

5.15.1 This section summarises the cumulative effects of the Proposed Development, considering both intra-project (in-combination) effects and inter-project effects with other developments. Intra-project effects are where multiple environmental aspects of the Proposed Development interact on a single receptor. Inter-project effects are where the Proposed Development interacts with other existing or approved developments in the area. Both types have been assessed in accordance with EIA Regulations and are summarised below. The detailed methodology and the receptor framework are set out in the applicant's ES Volume 1, Chapter 16: Cumulative Assessment, with cross-references to the other topic chapters.

Baseline and Key Receptors

5.15.2 The Site lies within Maldon LCA D8: Dengie Drained Estuarine Marsh, in a landscape already containing operational wind farms at Bradwell, Middlewick and Turncole, and various solar schemes. Sensitive receptors include landscape character and visual receptors, designated ecological sites, heritage assets, surface water / drainage features, road users, and residential receptors for noise / shadow flicker.

Summary of Relevant Consultation and Outcomes

5.15.3 Consultation with MDC, ECC, NE and other stakeholders informed scoping of cumulative topics, receptor lists and the long lists of Other Developments. Stakeholder input led to embedded routeing and construction management measures, noise constraint modes, shadow flicker controls and aviation radar mitigation solutions.

Summary of Proposed Mitigation (Embedded and Additional) and Residual Effects

5.15.4 The applicant's ES Volume 1, Chapter 16: Cumulative Assessment identifies residual cumulative effects, and these are summarised in the Table below. Any significant effects are also summarised in ES Volume 1, Chapter 17: Summary of LSE.

Summary of Likely Residual Cumulative Effects

Receptor	Residual Effect and Significance
Construction	
Landscape Designations and Character	In-combination effects (transport + noise + visual) – Not Significant
Local Communities / Residents	Significant adverse visual effects combined with other minor effects – **Significant**
Recreational Users and Tourism	Temporary combined effects (visual + noise + access) – Not Significant
Existing Infrastructure	Combined hydrology + transport + aviation – Not Significant
Road Networks and Users	Combined traffic + noise – Not Significant
Heritage and Archaeological Assets	Combined visual + noise – Not Significant
Operational	
Landscape Designations and Character	Combined visual + noise – Not Significant
Local Communities / Residents	Significant adverse visual effects remain dominant – **Significant**
Recreational Users and Tourism	Significant adverse visual effects remain dominant – **Significant**
Existing Infrastructure	Combined flood risk + radar – Not Significant
Road Networks and Users	Minimal traffic + noise – Not Significant
Heritage and Archaeological Assets	Combined visual + noise – Not Significant
Decommissioning	
Landscape Designations and Character	Temporary combined effects – Not Significant
Local Communities / Residents	Significant adverse visual effects combined with other minor effects – **Significant**
Recreational Users and Tourism	Temporary combined effects – Not Significant
Existing Infrastructure	Combined hydrology + transport – Not Significant
Road Networks and Users	Combined traffic + noise – Not Significant
Heritage and Archaeological Assets	Combined visual + noise – Not Significant

5.15.5 As identified within the Table above significant intra-project cumulative effects have been identified for Local Communities and Residents during construction and operation, and for Recreational Users and Tourism during operation. These are

primarily driven by significant landscape and visual effects, with other environmental aspects contributing to the overall impact.

5.15.6 Inter-project cumulative effects have been assessed across all environmental topics. No significant effects are anticipated due to the nature, scale and location of other developments, most of which are operational and treated as part of the baseline. The only nearby approved solar farm (MDC planning reference: 24/00901/FULM) is expected to have negligible cumulative impact due to its low visual prominence and mitigation planting.

Policy Compliance and Applicable Weight

5.15.7 The NPPF gives significant weight to the benefits of renewable and low-carbon energy (paragraph 168(a)) and emphasises climate mitigation and adaptation (paragraphs 161 – 165), with immediate effect for decision-making (paragraph 231). NPS EN-1 and EN-3 confirm the urgent need for low-carbon electricity and set out principles for cumulative impact assessment. The NPS reinforce the Clean Power 2030 Action Plan, indicating the future direction of policy. At the local level, the Maldon LDP, particularly Policies D4, D2 and D5, supports renewable energy development where cumulative impacts are appropriately mitigated.

5.15.8 No significant intra-project cumulative effects have been identified beyond those already reported at topic level. Inter-project cumulative effects with nearby wind farms and solar or battery storage schemes are also assessed as not significant. Operational cumulative noise remains compliant with relevant limits through the application of constraint modes, and radar impacts are mitigated to avoid significant effects. In planning terms, the strong national need for renewable energy and the clear policy support outweigh the limited and well-managed cumulative impacts.

5.16 Presumption in Favour of Sustainable Development

5.16.1 NPPF establishes a clear presumption in favour of sustainable development, which is at the heart of the planning system. Paragraph 11 of the NPPF states that plans and decisions should apply this presumption to achieve sustainable growth and meet the needs of the present without compromising the ability of future generations to meet their own needs.

5.16.2 For decision making, this means:

- Approving development proposals that accord with an up-to-date development plan without delay, and
- Granting permission where the development plan is absent, silent, or out-of-date, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole.

5.16.3 The Proposed Development aligns with the three overarching objectives of sustainable development set out in the NPPF with the exception of the Environmental Objective:

- Economic Objective: It will deliver substantial investment in renewable energy infrastructure, create jobs during construction and operation, and contribute to regional economic growth.
- Social Objective: It supports energy security and affordability, enabling a transition to a low-carbon economy that benefits communities and future generations.

- Environmental Objective: It will generate clean electricity, significantly reduce GHG emissions compared to fossil fuel alternatives, and incorporate measures to protect biodiversity and landscape character.

5.16.4 Given the urgent national need for renewable energy, as recognised in the NPPF and NPS EN-1 and NPS EN-3, the Proposed Development should benefit from the presumption in favour of sustainable development unless a case is found that the benefits do not outweigh the harms. Notwithstanding, the presumption carries substantial weight in the planning balance.

Planning Balance Summary

5.16.5 The planning balance requires weighing the substantial benefits of the Proposed Development against any residual adverse effects identified in the ES.

Benefits

5.16.6 The Proposed Development delivers significant public benefits that attract considerable weight in the planning balance:

5.16.7 Decarbonisation and Net Zero Contribution: With an installed capacity of up to 108MW, the Proposed Development will generate approximately 370,000 MWh of zero-carbon electricity annually—enough to power around 100,000 homes. Over its 40-year operational life, this equates to an estimated GHG saving of 2.18 million tCO_2e compared to fossil fuel generation. These benefits directly support the UK's statutory Net Zero target and the Government's Clean Power 2030 ambition, which should be afforded very substantial weight under NPPF paragraph 168(a) and NPS EN-1 Part 3.

- Energy Security and Affordability: By increasing domestic renewable generation, the Proposed Development reduces reliance on imported fossil fuels and mitigates exposure to global energy price volatility. This aligns with national policy objectives for a secure, affordable, and resilient energy system.
- Socio-economic benefits: Construction will generate significant employment and GVA benefits, with an estimated 111 local FTE jobs and £11.3 million GVA annually during the construction phase, and additional regional benefits. Operational employment and a community benefit fund will provide long-term local gains. These benefits attract moderate weight in the planning balance.
- Environmental enhancements: The Proposed Development commits to delivering at least 10% BNG, alongside habitat creation and landscape planting. These measures provide positive ecological outcomes and contribute to climate resilience.

Residual Harm

5.16.8 Under the HRA regulations projects can only be authorised if it can be concluded by the Competent Authority i.e. MDC, that it will not adversely affect the integrity of the European site in view of the site's conservation objectives. The exception to this is where there are IROPI (Imperative Reasons of Overriding Public Interest) and there are no other feasible alternatives, which would not affect the integrity of the European site. In this case the Competent Authority must assess all compensatory measures required to ensure the protection of the overall coherence of the national site network. In fulfilling its role as Competent Authority, the precautionary principle must be applied by MDC, and conclusions drawn on the best available scientific evidence.

5.16.9 However, officers are of the view based on NE advice that the proposal fails to fully demonstrate mitigation against the adverse impact on the integrity of Dengie (Mid-Essex Coast Phase 1) Special Protection Area ('SPA') and bird populations associated with other nearby SPA and Ramsar designations.

5.16.10 Residual adverse effects have been minimised through design evolution and embedded mitigation. They are localised, reversible, and not significant in EIA terms:

- Landscape and Visual: Moderate adverse effects will occur within the immediate marsh landscape and along the King Charles III Coastal Path. These are anticipated and unavoidable for wind energy infrastructure but have been reduced through careful siting, turbine design, and substation screening.
- Cultural Heritage: Minor setting effects on certain listed buildings and scheduled monuments remain after mitigation, but no substantial harm arises under NPPF tests.
- Residual effects on noise, transport, and human health are assessed as minor or negligible and not significant. Aviation and telecommunications risks are fully mitigated through technical measures.
- Residual effects on biodiversity (bird populations), however, are considered significant due to the scheme not demonstrating there would be no adverse impact on the integrity of the SPA and bird populations.

Policy Context

5.16.11 National policy provides a clear presumption in favour of renewable energy development. NPPF paragraph 168(a) requires significant weight to be given to the benefits of renewable and low-carbon energy generation. NPS EN-1 and EN-3 establish an urgent national need for such infrastructure, and draft NPS EN-3 designates onshore wind as CNP. Local policy supports renewable energy subject to acceptable impacts, which the Proposed Development achieves through mitigation.

5.16.12 The urgent national need for clean energy and the substantial benefits of the Proposed Development must be weighed against the harm. While the benefits of the scheme are considerable, it is not considered, following advice from Natural England, that the scheme has fully demonstrated mitigation against the harm to the integrity of the SPA and bird populations. The planning balance does not favour the granting of planning permission given the concerns identified.

6. ANY RELEVANT SITE HISTORY

6.1.1 Previous planning applications that have come forward within the Site have been for development minor in nature, consisting mainly of agricultural building improvements or erections – reflecting its longstanding agricultural use. There are no other developments within the site relevant to the subject application.

Relevant Offsite Applications

6.1.2 Other nearby planning applications that are considered relevant to the Proposed Development are listed below:

- **10/01070/FUL** (Maldon District Council) Turncole Wind Farm. Wind Farm Development consisting of seven three bladed, horizontal-axis wind turbines, each up to 126.5m maximum height to blade tip, with associated electricity transformers, underground cabling, access tracks, road widening works, crane hardstanding, control building, substation compound, communications

mast and anemometry mast for a period of twenty-five years. Also, temporary works including a construction compound, laydown area, rotor assembly pads, turning heads, welfare facilities and four guyed anemometry masts. East of Southminster and north of Burnham-on-Crouch, near the RLB. Approximately 0.71 km from the RLB. Existing

- **10/00004/FUL** (Maldon District Council) Middlewick Wind Farm. Construction of nine wind turbine generators with an overall height to tip of 125m, and associated crane hardstanding areas, access tracks, substation building, 80m meteorological mast, hardstanding area for marine access, temporary laydown area, temporary construction compound, and associated electrical infrastructure. Within RLB. Existing 06/00291/FUL Bradwell Wind Farm. Approximately 2.54 km north of the RLB. Existing
- **07/00433/FUL** (Tendring District Council) Earls Hall Wind Farm Construction of a wind farm comprising 5 turbines of maximum 125m to blade tip height, substation, anemometer mast, access tracks and ancillary infrastructure.
- Gunfleet Sands Offshore Wind Farm Approximately 7 km off the Clacton-on-Sea coast to the northeast of the RLB.
- London Array Offshore Wind Farm Around 20 km off the Kent coast to the southeast of the RLB.
- **EN010118** (Planning Inspectorate) Longfield Solar Farm A new solar photovoltaic array generating station, co-located with battery storage, together with grid connection infrastructure. The generating capacity will be up to 500 MW. Approximately 20 km from the RLB. Approved
- **14/00775/FUL** Wick Farm Solar Farm Construction and operation of a solar farm and battery energy storage system (with a power generation capacity up to 25.5 MW), together with all associated works, equipment, necessary infrastructure and landscaping. land east of Burnham Wick Farm, Wick Road, Burnham-on-Crouch, Essex. Located within 20 km from the RLB. Approved
- **23/01236/FULM** (Maldon District Council) Dengie Solar Farm Erection of a 19 MW Solar PV Array, comprising ground mounted solar PV panels, with co-located 5 MW Battery Energy Storage System (BESS), vehicular access from Keelings Road, internal access tracks, landscaping and associated infrastructure including security fencing, CCTV cameras, and grid connection infrastructure South Of Keelings Road Dengie Essex. Approximately 0.71 km from the RLB. Approved
- **24/00941/OUTM** (Maldon District Council) Outline planning application with all matters reserved except for primary means of access from Scotts Hill, for the development of up to 249 dwellings, public open space, together with associated landscaping, highways, drainage and other infrastructure works. Land West Of David Fisher Way David Fisher Way Southminster Essex Approximately 6 km west from the RLB. Pending consideration
- **24/00244/FULM** (Maldon District Council) Construction of 63 dwellings (Use Class C3), and associated works, including informal and formal open space; vehicular, pedestrian and cyclist infrastructure; car and cycle parking; sustainable urban drainage; and infrastructure. Land South of Brent Way And Off of Endeavour Way Burnham-On-Crouch Essex Approximately 6.36 km south west of the RLB. Approved
- **24/01004/OUTM** (Maldon District Council) Development of up to 140 no. dwellings (Use Class C3) including 40% affordable housing; new site access and internal access roads; a new village centre (Use Class E(a); flexible employment space (Use Class E); car and cycle parking; landscaping; sustainable urban drainage systems; public open space and footpaths; community woodlands and allotments; together with associated infrastructure.

Land South of Threeways And 45 The Street Latchingdon Essex Approximately 12 km west of the RLB. Appeal in progress

- **25/00206/OUTM** (Maldon District Council) Outline planning application for the demolition of number 46 Queenborough Road and the erection of up to 110 dwellings (including affordable housing), with public open space, structural planting, landscaping, Sustainable Drainage System (SuDS) and vehicular access point. All matters to be reserved, except for means of access. Land West of Spratts Farm Queenborough Road Southminster Essex Approximately 4.11 km west of the RLB. Pending consideration Other developments relevant to the Proposed Development
- **15/00084/FUL** (Maldon District Council) Temporary use of existing crane hardstanding Land Below Holliwell Farm Marsh Road Burnham-On Crouch Essex Approximately 1.8 km south west from the RLB. Approved

7. CONSULTATIONS AND REPRESENTATIONS RECEIVED

7.1 Representations received from Parish / Town Councils

Name of Parish / Town Council	Comment	Officer Response
Althorne Parish Council	Objection because of concerns regarding congestion on inadequate road networks, scale of turbines, impact on wildlife, visual impact on locality, Flicker noise, Environmental Impact.	Noted. This is covered under section 5.8 of the report
Asheldeldham and Dengie Parish Council	Objection. The parish council have very grave concerns regarding the highways ability to handle the extra traffic which the construction will bring. The local highways are in extremely poor condition and immediate repairs are required before this project can go ahead. Concerns were expressed regarding the community funding and who will be consulted on the expenditure of grant funding. Concerns were raised that aggregates obtained by the local quarry will encourage expansion of the existing quarry, which residents have expressed concerns against previously. Residents were looking forward to the cessation of the current licence. Aggregates should be transported via sea where possible. With these concerns in mind, Asheldham and Dengie were unable to fully support this planning application due to the lack of information and representations provided relating to the following points: • Further clarification is required on traffic management planning with particular note to Asheldham Brook Bridge and	This is covered under 5.8of the report. The applicant has produced further bird surveys which have been completed in 2025/2026 to understand the use of terrestrial habitat by features of the designated sites. This is detailed in Appendix A1 of the ES addenda, April 2026 and subject to discussion in Section 9.4 of this report.

Name of Parish / Town Council	Comment	Officer Response
	the section of Southminster Road, which is posted as two way. • Further clarification of obtaining and transportation of aggregates. • Third year of Bird Survey outcomes • Mitigation for the narrow roads which are on route to construction site. • Clarification of Community Benefit Fund and possible earmarking and proposal.	
Cold Norton Parish Council	Objection because of: • Traffic Impact During Build: concerns particularly re Lower Burnham Road with size and number of HGV that will be involved. (Given site of development can materials not be brought in by water?) Contrary to policy T2 (Accessibility) of the Maldon District Local Development Plan, the Maldon District Design Guide SPD and Government guidance as contained within the National Planning Policy Framework. • Environment Impact: on the Coastal Footpath, Salt Marsh. Oyster Beds and boundary of a Site of Scientific Interest (SSSI), plus effect on wildlife. Contrary to policies N1 & N2 (National Environment & Green Infrastructure), D2 (Environmental Impact of New Development) and D3 (Conservation & Heritage Assets) of the Maldon District Local Development Plan, the Maldon District Design Guide SPD and Government guidance as contained within the National Planning Policy Framework.	Covered under section 5.8 of the report. The elements comprising the WTG (main structure and blades) will arrive by water
Burnham-on-Crouch Town Council	No objection.	Noted.

Name of Parish / Town Council	Comment	Officer Response
Danbury Parish Council	Objection. The Parish Council strongly advises that, due to issues of congestion and mini roundabouts on the A414, construction traffic must be routed elsewhere.'	Noted.
Mayland Parish Council	No objection.	Noted.
North Fambridge Parish Council	Object due to the following reasons: The proposal would generate abnormal loads and sustained Heavy Goods Vehicle (HGV) movements for turbine components, foundations, access tracks, cabling and concrete batching. Surrounding rural roads, including routes affecting North Fambridge, are narrow and unsuitable for such traffic and would experience increased highway safety risks, damage to the road network and harm to pedestrians, cyclists and equestrians. The application fails to demonstrate that the residual cumulative impacts on surrounding highways would not be severe. (Maldon District LDP Policies T2, D3. and 51; NPPF paragraph 11L; Highways Act 1980.) **Loss of Habitat and Biodiversity** The Parish Council is concerned about the loss and fragmentation of habitat caused by turbine bases, access tracks, cabling corridors and construction compounds. The development would harm wildlife habitats and ecological connectivity across the wider countryside and presents risks to birds and bats through displacement. The impacts extend beyond the site boundary, affecting cross-boundary ecological networks, including those associated with North Fambridge. Policy conflict: Maldon District LDP Policies N2, Nl and 51; Environment Act 2O21'; Wildlife and Countryside Act 1981; Conservation of Habitats and Species Regulations 2017; NPPF paragraphs 774-L8A. **Landscape and Visual Impact** The scale and height of up to 15 wind turbines would result in significant visual intrusion across a wide area. The	Noted. Turbine components will arrive by sea. Road traffic covered under section 5.8 of the report.

Name of Parish / Town Council	Comment	Officer Response
	development would erode the open rural skyline and diminish the countryside setting between settlements. Policy conflict: Maldon District LDP Policies N1, Dl and 58; NPPF paragraph L74" **Low-Frequency Noise, Shadows** Operational turbine noise, including low-frequency noise, and shadow flicker have the potential to affect residents beyond the site boundary, particularly in quiet rural environments. This would also affect wildlife eg. bats. Policy conflict: Maldon District LDP Policies D1 and D2; NPPF paragraph 185; Environmental Protection Act 1990. **Construction Phase Impacts and Duration** The extended construction period, including use of a temporary concrete batching plant, would result in prolonged disturbance affecting surrounding communities through noise, dust, lighting and traffic movements. Policy conflict: Maldon District LDP Policies D1, D2 and 51; NPPF paragraph 174(e). **Flood Risk and Catchment-Wide Drainage Impacts** The cumulative effect of turbine bases, access tracks and hardstanding may increase surface water runoff across the wider catchment-would this affect flood risk? Policy conflict: Maldon District LDP Policies D5 and 51; NPPF paragraphs L59-169; Flood and Water Management Act 20L0	
Purleigh Parish Council	No objection.	Noted.
South Woodham Ferrers Parish Council	No objection subject to conditions.	Noted.
Southminster Parish Council	Concerns regarding the road network, Impact on birds and Impact on amenity. Southminster PC recommend the refusal of this planning application in its current form.	Noted.
Woodham Mortimer with Hazeleigh Parish Council	No objection.	Noted.

7.2 **Statutory Consultees and Other Organisations** (*summarised)*

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
Health and Safety Executive (HSE)	No objection.	Noted.
ECC minerals and waste	No objection.	Noted.
MDC Conservation Officer	No objection.	Noted.
Marine Maritime Organisation (MMO)	No objection.	Noted.
Historic England	No objection subject to conditions, Historic England has concerns regarding the application on heritage grounds. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 207, 208, 212, and 215 of the NPPF. In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess, and section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas. Your authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice.	
NATS	Objection because proposed development conflicts with their safeguarding criteria.	NATS have confirmed that they are likely to withdraw their objection upon the signing of a mitigation agreement with the applicant. The committee will be updated with the current position.
Office of Communications (OFCOM)	No objection.	Noted.

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
Port of London Authority	No objection subject to condition.	Noted.
Crouch Harbour Authority	No objection.	Noted.
Stanstead Airport	No objection subject to condition.	Noted.
Southend Airport	No objection subject to condition.	Noted.
Essex Bridleway Association	No objection.	Noted.
National Grid	No objection.	Noted.
MDC Economic Development	No objection.	Noted.
National Highways	No objection subject to conditions.	Noted.
ECC Green Infrastructure	No objection subject to conditions.	Noted.
NHS Services	No objection.	Noted.
Archaeological Place Services	No objection subject to conditions.	Noted.
Ministry of Defence (MoD / DIO)	No objection subject to conditions.	Noted.
Lead Local Flood Authority (LLFA) ECC	No objection subject to conditions.	Noted.
MDC Environmental Health	No objection subject to conditions.	Noted.
Essex Wildlife Trust	Objection. The Trust request that MDC refuses permission for this application. If the Council is minded to grant consent despite this objection, we would expect to see: • Completion of the bat collision risk assessment • Correction of errors in the bird collision risk modelling and extension of survey work to provide two years of robust data	See Appendix A3 Consultation Response, April 2026 from the applicant.

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
	• Commitment to radar detection and automated shutdown technology secured through planning conditions • A binding operational curtailment regime specified prior to consent • Legally secured delivery of 10% BNG through on-site or demonstrably functional off-site compensation • Population Viability Analysis for affected species • Detailed Schedule 1 species protection measures with specified buffer distances and timing restrictions • Provision of a robust Farmland Bird Mitigation Strategy • Cumulative impact assessment including in-combination effects with other developments • Adaptive management framework with trigger levels for remedial action Even with these improvements, it remains doubtful whether a development of this scale and location can proceed without causing unacceptable harm to the Dengie SPA and the internationally important populations it supports. We take the view that the strategic approach to renewable energy deployment should prioritise locations with lower ornithological sensitivity and avoid sites functionally linked to internationally designated areas wherever possible.	
ECC Place Services Ecology	Holding Objection. They are not satisfied that there is sufficient ecological information available for determination of this application and recommend that details of survey results, mitigation & enhancement measures are required to make this proposal acceptable/additional information on bats, non-breeding birds and designated sites is provided prior to determination. In addition, they are	Updated comments awaited and to be reported through the Members' Update.

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
	not satisfied that appropriate information with regard to mandatory biodiversity net gains has been supplied for the application prior to determination.	
Natural England (NE)	Natural England does not support the conclusion of no adverse effect on integrity within the applicant's Habitats Regulations Assessment – Report to Inform Appropriate Assessment (RIAA). As submitted, we consider the proposed development will: • have an adverse effect on the integrity of Dengie (Mid-Essex Coast Phase 1) Special Protection Area ('SPA') and bird populations associated with other nearby SPA and Ramsar designations • damage or destroy the interest features for which Dengie Site of Special Scientific Interest has been notified. We have reached this view for the following reasons: • The proposed development is on land with a clear functional linkage with the SPA and is extensively used by SPA bird populations. The evidence provided in the application, and from elsewhere, points to this development site being a hub within a complex of SPAs for metapopulations and this does not appear to be addressed by the avoidance and mitigation presented within the documents. • The development is likely to cause displacement and habitat loss for SPA species, and the Appropriate Assessment does not appear to take into account fully the scale of these impacts. • There is a high probability of bird collision with the development and the projected mortality rates within the HRA may not be sufficiently	See Conclusion and Planning Balance

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
	precautionary. • The scale of the proposed mitigation land appears significantly insufficient to address the degree of loss, especially to functionally linked land, and there is insufficient evidence supplied to indicate it will be effective. The applicant's conclusion recognises the importance of the site for wintering birds, but contests that impacts upon bird species will not be sufficient to conclude that there will be an adverse effect on the integrity of any habitat site. Natural England cannot agree with that conclusion. Given the value of the development site for SPA birds, both displacement and collision risks remain key concerns. Given the location of this proposed development, its immediate proximity to the SPA and the known high usage of notified bird features, we conclude that it is likely to be difficult and complex to mitigate impacts with reasonable confidence. We are happy to discuss alternative proposals for siting of turbines and further enhancements to the mitigation area, but we do highlight that the location proposed is and will remain to be of vital importance to SPA species.	
Royal Society for the Protection of Birds (RSPB)	The RSPB objects to these proposals due to direct loss of Special Protection Area (SPA) supporting habitat for wintering Dark bellied Brent Geese and waders and the potential operational effects of the proposals – including collision risk, displacement etc. This application is not supported by adequate assessment as part of a Shadow Habitats Regulations Assessment (sHRA) to inform any decision regarding the likely impacts on the adjacent sites and supporting habitat. It also impedes landscape-scale habitat connectivity, and options for extending the SPA implementing the SPA Review 2. The current location is unsuitable, as it presents a	Noted. A Shadow Habitats Regulations Assessment has been submitted by the applicant in support of its proposals and in response to objections, particularly Natural England.

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
	considerable obstacle, especially at the southern and south-eastern part of Dengie, for birds moving between the south and east intertidal areas and is likely to affect the use of the network of sites required by the birds in different conditions such as tide, disturbance, and crop changes. This is exacerbated by existing arrays that are further inland and smaller, but when combined may present a considerable obstacle to bird movements; this issue has not been fully assessed. A detailed assessment of in combination effects as part of a sHRA is required. Species likely to be impacted include designated features of adjacent SPA/Ramsar sites that are using the open fields around the Site. These include Dark-bellied Brent Geese, Hen Harrier, and waterbird assemblage species such as Golden Plover and Lapwing. We do not agree that the proposed habitat creation 5km away beside an urban area is sufficient or reliable to mitigate either the area directly lost or the barrier effect of the tall turbines in this ecologically strategic location, and the development itself may undermine its use. Under the requirements of the Habitats Regulations, there is a need to ensure there are not likely significant effects to the integrity of the adjacent SPA/Ramsar site. The RSPB does not think it is possible to discount likely significant effects due as a result of these proposals.	

7.3 **Site Notice / Advertisement**

7.3.1 The application was validated by MDC on 18 November 2025. It was advertised in the Maldon and Burnham Standard on the 11 December 2025 by MDC. Site notices were also posted around the application site by MDC.

7.4 **Representations received from Interested Parties** (*summarised)*

7.4.1 Eight public representations were received **objecting** to the application at the time of this committee report being published and the reasons for objection are summarised as set out in the table below:

Objection Comment	Officer Response
Construction traffic, routeing and adequacy of the existing roads.	Addressed in the report at Section 5.8
Deliveries should be by sea wherever possible.	The WTG is be delivered by sea.
Condition surveys should be undertaken before and after construction and any damage to the highways repaired	Considered at 5.8 of the report
Scale of turbines	Noted.
Impact on internationally designated sites and wildlife	Covered in the report
Landscape and visual impact and impact on Coastal footpath and public rights of way	Covered in the report
Impacts on designated and non-designated heritage assets and their settings	Covered in the report
Noise and shadow flicker and	
Environmental effects	

8. CONCLUSION AND PLANNING BALANCE

8.1 The Proposed Development comprises a 108 MW onshore wind farm designed to deliver substantial renewable energy benefits in support of the UK's legally binding Net Zero target and the Government's Clean Power 2030 ambition. It will generate enough electricity to power approximately 100,000 homes annually, saving over 2 million tonnes of CO_2e over its lifetime.

8.2 The Proposed Development is supported by national policy, aligns with the relevant objectives of the Local Plan, and has the potential to deliver significant benefits in terms of renewable energy generation and carbon reduction. Detailed environmental and technical assessments, set out within the ES, demonstrate that the development is capable of delivering in a manner that is consistent with the overall planning policy framework.

8.3 Under the HRA regulations projects can only be authorised if it can be concluded by the Competent Authority i.e. MDC, that it will not adversely affect the integrity of the European site in view of the site's conservation objectives. The exception to this is where there are IROPI (Imperative Reasons of Overriding Public Interest) and there are no other feasible alternatives, which would not affect the integrity of the European site. In this case the Competent Authority must assess all compensatory measures required to ensure the protection of the overall coherence of the national site network. In fulfilling its role as Competent Authority, the precautionary principle must be applied and conclusions drawn on the best available scientific evidence.

8.4 The applicant argues that the approach to assessment and mitigation has been based on a robust data set which has been refined following each year of survey to provide additional information. The data provided has been used to apply the

mitigation hierarchy and amend the design of the Proposed Development to minimise the potential impact.

8.5 Whilst the RIAA (Report to Inform Appropriate Assessment) acknowledges the use of the Proposed Development by birds associated with the Dengie SPA/Ramsar (and potentially other adjacent European Sites such as the Crouch and Roach Estuaries SPA/Ramsar) it is considered that use by dark-bellied brent goose is infrequent with records of overflight, foraging and roosting within terrestrial habitats rare, especially when considering the volume of observations recorded.

8.6 Records of other species within 600-650m of the Proposed Development such as curlew are limited to records in adjacent mudflats and saltmarsh with infrequent records occurring within terrestrial habitats. It is therefore considered that impacts of displacement and disturbance would not represent a significant risk to the assemblage of species which have been shown to utilise the mudflat and saltmarsh habitats immediately adjacent to the Proposed Development.

8.7 Golden plover have been shown to be more frequently occurring within the Proposed Development. However, through the application of offsite mitigation, monitoring and if required, active management of windfarm operation, it is proposed that risks associated with collision and displacement could be mitigated. Such requirements would be secured as a condition to planning.

8.8 The applicants state In conclusion, the findings of the RIAA are still considered appropriate and therefore the assessment reached that No Adverse Effect on Integrity would occur to any European Site is also considered applicable.

8.9 However, MDC is of the view based on NE advice that the applicant's conclusion recognises the importance of the site for wintering birds, but contests that impacts upon bird species will not be sufficient to conclude that there will be an adverse effect on the integrity of any habitat site. Natural England state they cannot agree with that conclusion. Given the value of the development site for SPA birds, both displacement and collision risks remain key concerns.

8.10 Given the location of this proposed development, its immediate proximity to the SPA and the known high usage of notified bird features, Natural England conclude that it is likely to be difficult and complex to mitigate impacts with reasonable confidence.

8.11 The ES (Environmental Statement) demonstrates that there are likely significant beneficial effects resulting from the Proposed Development such as through a reduction in GHG (Green House Gases) and through supporting local employment during construction. While some residual significant adverse effects remain, principally localised landscape and visual effects, these have been minimised through careful design and mitigation.

8.12 National policy (NPPF paragraph 168(a), NPS EN-1 and NPS EN-3) requires significant weight to be given to the benefits of renewable energy generation. Draft NPS EN-3 designates onshore wind as CNP infrastructure, reinforcing the urgent need for projects of this scale. Local Plan policy supports renewable energy subject to acceptable impacts.

8.13 In addition, within the context of the Proposed Development's clear sustainable credentials, and noting this conformity with policy, the presumption in favour of sustainable development also applies, adding further weight in support of a positive decision on the application.

8.14 In the planning balance, the urgent national need for clean energy and the benefit of the Proposed Development is considered to carry significant weight. National policy (NPPF paragraph 168(a), NPS EN-1 and NPS EN-3) requires significant weight to be given to the benefits of renewable energy generation. Adopted policy NPS EN-3 designates onshore wind as CNP infrastructure, reinforcing the urgent need for projects of this scale. Local Plan policy supports renewable energy subject to acceptable impacts.

8.15 Notwithstanding, the proposal has not adequately made the case of no adverse effect in respect of the identified harm that could occur to the protected area and its bird specifies sufficiently. In this respect the application has not demonstrated, to the satisfaction of the Local Planning Authority through its consultees, that the benefits of the proposed development outweigh the potential harm identified by Natural England, and therefore it has been found that the proposal is unacceptable and accordingly recommended for refusal of planning permission.

9. REASON FOR REFUSAL

1 The proposal, by reason of its location, extent and functional linkage is likely to have an adverse effect on the integrity of Dengie (Mid-Essex Coast Phase 1) Special Protection Area ('SPA') and bird populations associated with other nearby SPA and Ramsar designations. In addition, the proposal is likely to damage or destroy the interest features for which Dengie Site of Special Scientific Interest has been notified. The proposal is therefore contrary to policies D1, D2 and D4 of the Maldon District Local Plan 2014 – 2029.