



Meeting note

File reference	EN010053
Status	Final
Author	Siân Evans
Date	7 September 2017
Meeting with	DONG Energy
Venue	Temple Quay House
Attendees	The Planning Inspectorate Chris White (Infrastructure Planning Lead) Siân Evans (Case Officer) Helen Lancaster (Senior EIA and Land Rights Advisor) Katherine King (EIA and Land Rights Advisor) DONG Energy Natasha Litten (Consents Manager) David Morgan (Onshore Environment Manager) Scott McCallum (Lawyer)
Meeting objectives	Hornsea 2 – potential non-material change application
Circulation	All attendees

Summary of key points discussed and advice given

Introduction

DONG Energy (the Applicant) and the Planning Inspectorate (the Inspectorate) case team introduced themselves and their respective roles. The Inspectorate outlined its openness policy and ensured those present understood that any issues discussed and advice given would be recorded and placed on the Inspectorate's website under s51 of the Planning Act 2008 (PA2008). Further to this, it was made clear that any advice given did not constitute legal advice upon which the Applicant (or others) can rely.

Proposed change

The Applicant gave a brief update on the status of the project and then outlined the proposed change to the wording in the Development Consent Order (DCO) relating to the onshore substation.

The Applicant advised that the purpose of the amendment is to increase the size of the developable area for Works No 8A and 8B, to the same as that defined in the certified plans. The made DCO currently restricts the total developable area of the site for Work Nos 8A and 8B to no greater than 35,672 m² however the envelope in the

certified plans is greater than this. To facilitate safe construction, greater space is required between each piece of the substation infrastructure therefore the Applicant is proposing to use the envelope which is set out in the plans without increasing the overall size of plant and buildings constructed. The Inspectorate queried whether this would result in greater flood risk at the site with increased impermeable surfaces. The Applicant explained that areas between the substation infrastructure would be permeable and the envelope was assessed on the basis of the whole developed area being impermeable. A Sustainable Urban Drainage Scheme (SUDS) is also currently included in the made DCO and corresponding Environmental Statement (ES) to mitigate impacts.

With regard to other issues such as landscape and visual and traffic and transport impacts, the Applicant explained that these were assessed on a worst case scenario and the potential change does not exceed this.

The Applicant advised that as a result of the above information, they consider the change is non-material on the basis that there is no change required to the certified plans, ES, no need for a Habitats Regulations Assessment or additional European Protected Species licences and there is no need for additional compulsory acquisition of land.

The application process

The Inspectorate explained that it could not advise whether a change was material or not but the Applicant should explain and justify as fully as possible why they consider the proposed change to be non-material when making its application submission to the Secretary of State (SoS).

The Applicant enquired about consultation on the proposed change. The Inspectorate advised that an applicant can seek permission from the relevant SoS to reduce the consultation list providing that they have justified this approach. The Inspectorate suggested that the Applicant draw up a table of consultees and provide justification for any previous consultees the Applicant considers does not need to be consulted for this particular change request.

With regard to which newspapers the Applicant should publish a notice in; the Inspectorate suggested the Applicant add these as a query to the consultee table to be provided to the SoS, again with justification for any they consider do not need to publish a notice of the change to seek the view of the SoS.

The Inspectorate advised the Applicant to allow at least a month for the SoS to review the consultation list. The Inspectorate advised that the guidance states that a non-material change application will take approximately three months from the date of submission to the SoS's decision, however it can take longer than this.

The Inspectorate advised the Applicant to consider when their consultation takes place and to avoid the Christmas period. The Inspectorate also advised the Applicant to allow at least 30 days for consultation responses, rather than the minimum 28 days, so as to ensure at least 28 days from receipt of letter. The Applicant may also wish to send consultation letters by recorded delivery so that they can evidence letters have been sent.

The Inspectorate asked the Applicant to copy it in when sending the application to the SoS. The application will then be published on the Inspectorate's website, along with accompanying documents. The Inspectorate advised the Applicant that the Hornsea2@pins.gsi.gov.uk mailbox can be used for consultees to submit their responses to the consultation.