

East Anglia THREE
Offshore Windfarm

East Anglia THREE

Statement of Common Ground

Civil Aviation Authority

Document Reference – Deadline 2/SoCG/
Applicant and CAA

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1 Introduction

1.1 Introduction

1. This Statement of Common Ground (SoCG) has been prepared with the Civil Aviation Authority (CAA) to show where agreement has been reached with East Anglia THREE Limited (EATL) during the Section 42 and post Development Consent Order (DCO) application consultation.
2. This SoCG comprises an agreement log which has been structured to reflect topics of interest to the CAA on the East Anglia THREE DCO application (the **Application**).
3. The position with respect to each relevant issue is presented in a tabular form.

1.2 The Development

4. The Application is for development consent to construct and operate up to 172 wind turbine generators and associated infrastructure, with an installed capacity of up to 1,200 MW (the **Project**).
5. The DCO, if made, would be known as the East Anglia THREE Offshore Wind Farm Order. It will comprise the following elements:
 - Up to 172 offshore wind turbines and associated foundations, with an installed capacity of up to 1,200 MW;
 - Up to two meteorological masts and foundations;
 - Up to twelve buoys;
 - Up to six offshore electrical stations;
 - Up to one offshore platform housing accommodation facilities;
 - Subsea inter-array cables between the wind turbines and offshore electrical stations;
 - Up to four subsea export cables to transmit electricity from the offshore electrical stations to shore;
 - Up to four interconnector cables between the East Anglia ONE and East Anglia THREE Projects;
 - Scour protection around foundations and on inter-array and export cables as required;
 - Landfall at Bawdsey with onshore transition bays to join the offshore and onshore cables;
 - Up to four onshore underground circuits (each containing up to three cables) pulled through existing ducting to be laid by East Anglia ONE or directly laid, running for approximately 37 km from landfall to the connection point at Bramford, Suffolk, with jointing pits, to transmit electricity to up to two new onshore substations;
 - Up to two onshore substations at Bramford, Suffolk, to connect the offshore windfarm to the National Grid;

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- The permanent and / or temporary compulsory acquisition (if required) of land and / or rights for the proposed Project;
 - Overriding of easements and other rights over or affecting land for the proposed Project;
 - The application and / or disapplication of legislation relevant to the proposed Project including inter alia legislation relating to compulsory purchase; and
 - Such ancillary, incidental and consequential provisions, permits or consents as are necessary and / or convenient.
6. The Application was submitted to the Planning Inspectorate on 18th November 2015 and accepted for examination on 15th December 2015.

1.3 Consultation with the CAA

7. This section briefly summarises the consultation that EATL has had with the CAA; for further information on the consultation process and the outcome of consultations please see the Consultation Report (document 5.2 of the DCO Application).

1.3.1 Pre-Application

8. EATL engaged with the CAA on the Project during the pre-application process, both in terms of informal non-statutory engagement and formal consultation carried out pursuant to section 42 of the Planning Act 2008.
9. The CAA responded to the Phase III consultation on constructing the Project in phases (response attached as Appendix 1).

1.3.2 Post-Application

10. The CAA made a relevant representation to the Planning Inspectorate on 14th March 2016 (the **Relevant Representation**): see Appendix 2.

2 Agreement log

11. Within the section below the different topics for areas of agreement between the CAA and EATL are set out.

2.1 Aviation


12. The Project has the potential to impact upon Aviation. Chapter 16, Aviation and MoD, of the East Anglia THREE Environmental Statement (ES) (document 6.1.16 of the DCO Application) provides an assessment of the significance of these impacts. Table 1 below provides areas of common ground that have been reached regarding the findings reported within that chapter and identifies areas where agreement is still to be reached.

Table 1. SoCG – Aviation

Issue	EATL Position	CAA's Position
Environmental Impact Assessment		
Existing Environment	Description of baseline conditions is accurate in terms of aviation and radar activity undertaken within the Project's site and surrounding area.	Agreed.
Methodology	The impact assessment has been undertaken using suitable methodologies.	It is not for the CAA to specifically comment on the suitability of the assessment methodology – it is the responsibility of individual stakeholders to assess the impacts of the development on their own operations and highlight if these differ from the assessment made by the developer in the EIA.
Conclusions	The assessment is appropriate and has made the correct conclusions that the Project will have no significant impacts upon civil aviation.	It is not for the CAA to comment on the impacts on individual aviation stakeholders. It is for those aviation stakeholders who are potentially affected by the proposed development to comment on the impact to their operations / safeguarding.
Communication		
	The level and quality of communication between EATL and the CAA to date has been appropriate.	Agreed.
Draft Development Consent Order		
	EATL recognises that, due to an administrative error, a draft requirement as to the lighting of the Project was omitted from the DCO submitted with the Application. EATL proposes including the following draft requirement in the	The CAA notes that in its Scoping Response of December 2012, it observed on the requirement to provide aviation warning lighting on offshore obstacles in accordance with regulatory

Issue	EATL Position	CAA's Position
	<p>next revision of the DCO to address the requirement of turbine lighting to mirror that of the East Anglia ONE Offshore Wind Farm DCO:</p> <p><i>“The undertaker must exhibit such lights, with such shape, colour and character as are required in writing by Air Navigation Order 2009 and determined necessary for aviation safety in consultation with the Defence Infrastructure Organisation Safeguarding and as directed by the CAA.”</i></p>	<p>requirements and to inform the UK Hydrographic Office for charting purposes prior to construction/installation.</p> <p>The CAA agrees that the inclusion of the proposed draft DCO requirement as set out by EATL herein is an appropriate requirement for addressing the lighting of the East Anglia THREE turbines.</p> <p>The CAA further agrees that EATL has acknowledged the requirement to notify the UK Hydrographical Office and the Defence Geographic Centre of the East Anglia THREE turbine locations prior to turbine erection to facilitate the charting of the turbines and any anemometer/meteorological masts and will liaise with the CAA to issue Notices To Airmen (NOTAM) as appropriate to promulgate the turbines to aviation stakeholders.</p>

Signing box: The undersigned agreed to the provisions within this SoCG –CAA

Signed	
Printed Name	Andy Wells
Position	Policy Lead Spectrum and Radio Licensing
On behalf of	Civil Aviation Authority
Date	15 July 2016

Signing box: The undersigned agreed to the provisions within this SoCG – EATL

Signed	
Printed Name	Keith Morrison
Position	East Anglia THREE Senior Project Manager
On behalf of	East Anglia THREE Limited
Date	19 July 2016

Appendix 1

In an email from the CAA to EATL dated 8 July 2015, the CAA stated as follows:

“Thank you for your letter dated 12 June 15 concerning the East Anglia Three Phase 3 Report (Consultation) which was also included with your letter. Having read the report, the CAA note that page 25 of the Phase 3 Report indicates that your potential changes should not impact Aviation. Accordingly, the CAA have no additional comments at this time.

“I also note your prospective DCO submission date of November 2015 - the CAA will therefore comment formally on the ES when requested by the Planning Authority in due course.”

Appendix 2

Representation No. 6
Received 14 March 2016
From Civil Aviation Authority

Representation

“This submission is made in case the CAA have not been automatically registered as an interested party. The CAA currently have no immediate issues to raise concerning this development, however, the CAA would wish to remain informed of the progress of the application and would expect to be consulted on civil aviation matters concerning the development in due course.”

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