

From: [REDACTED]
To: [East Anglia ONE North; East Anglia Two](#)
Subject: DEADLINE 6 Submission - ISH9 Action Point 1
Date: 24 February 2021 19:35:35
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Dear Examining Authority

ISH9 - Action Point 1 - Applicants and IPs who wish to make initial observations regarding the recent decision to quash the SoS' decision on the above proposed development are invited to do so to assist the ExAs' consideration of the judgement.

The Vanguard ruling is of such major significance to the SPR EA1N and EA2 Application that I would like to submit an update from Ray Pearce for the Examiners attention. Please note this contains a link to the full judgement made by Justice Sir David Holgate.



Update on Offshore Wind Power WITHOUT Destroying the Norfolk Countryside

Dear Supporter,

I am pleased to be able to tell you that, with your welcome support, the development consent for the Norfolk Vanguard Wind Farm project has been overturned, and the Development Consent Order (DCO) has been quashed.

You can read all the details of Justice Sir David Holgate's historic judgement here:

<https://www.bailii.org/ew/cases/EWHC/Admin/2021/326.html>

May I encourage you to read the ruling in full, so that you can gain a true flavour of the degree to which Justice Holgate demolished the defence case. In the judge's opinion, this was not a marginal error of due process. The Judge's conclusions are at para's. 164

& 165 with guidance for the SoS BEIS from para. 166 to 180.

To put the Judgement into context, since the regime of the Planning Act 2008 became law, and with the support of the National Policy Statements (NPSs), there has only ever been one successful challenge to a DCO and that was for the reversal of a refused consent which was challenged by the developer. Never before has a DCO been overturned and that consent quashed, as described in this blog:

<https://www.planoraks.com/posts-1/levelling-up-infrastructure-planning>

Therefore, despite the Planning Act 2008 regime being remarkably resilient, the impact of last week's judgement is likely to have a wide-ranging impact, especially given the various applications for offshore wind developments. No longer will developers be able to hide behind the permissive legislation for National Significant Infrastructure Projects (NSIPs) without *fully* considering the cumulative impacts on the environment, and, alternatives for their projects, which they were actually always required to do so by law.

There was an immediate response from the Planning Inspectorate examining the East Anglian One North (EA1N) and East Anglian Two (EA2) projects requesting:
"Applicants and Interested Parties who wish to make initial observations regarding the recent decision to quash the SoS's decision on the proposed development are invited to do so to assist the ExA's consideration of the judgement."

Many people in Suffolk, who supported this campaign, are working hard for the preservation of their countryside and environment. May I wish each and every one of them my very best wishes for a positive outcome. I will help both SEAS and SASES with my experience from the JR process where I can.

It is for the SoS BEIs to now lawfully decide how he will proceed post the quashing of the Norfolk Vanguard DCO. However, there is a window of opportunity for all members of the public to get behind the campaign to stop the building of the environmentally damaging onshore radial transmission systems and substations, and, have the numerous and successive wind farms off the coast of East Anglia connect to the National Electricity Transmission System (NETS) by way of the integrated *offshore* system now known as the Offshore Transmission System (OTN) (colloquially the Offshore Ring Main (ORM)). The move towards an integrated solution with shared infrastructure is gathering pace through the full blown Government' project - the Offshore Coordination Project (OCP) - this is a project not a concept!

<https://www.nationalgrideso.com/future-energy/projects/offshore-coordination-project>

Please could you write to your Member of Parliament (MP), tell them what you think and that you support the move for the rapid development of the OTN in order to save our countryside and rural way of life.

I will of course keep you informed of any developments from the SoS BEIS and, as such, will keep the Crowd Justice campaign page open as a conduit.

Thank you again for putting your faith in me to complete the successful JR of the Norfolk Vanguard DCO. I could not have continued to Court without your help.

Above all else though, please stay safe and sound at home.

Yours sincerely,

Ray

<https://www.crowdjustice.com/case/offshore-wind-power-without-de/>