



**SCOTTISHPOWER
RENEWABLES**

East Anglia ONE North and East Anglia TWO Offshore Windfarms

Applicants' Comments on Dr Thérèse Coffey's Deadline 10 and 11 Submissions

Applicant: East Anglia TWO and East Anglia ONE North Limited

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Applicable to East Anglia ONE North and East Anglia TWO



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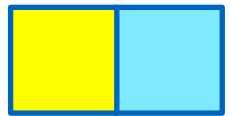
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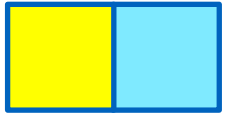
Glossary of Acronyms

BEIS	Department for Business, Energy and Industrial Strategy
CION	Connections and Infrastructure Option Note
DCO	Development Consent Order
EIA	Environmental Impact Assessment
ExA	Examination Authority
HVDC	High-Voltage Direct Current
ISH	Issue Specific Hearing
PD	Procedural Decision
SASES	Substation Action Save East Suffolk
SQSS	Security and Quality of Supply Standard



Glossary of Terminology

Applicant	East Anglia TWO Limited / East Anglia ONE North Limited
East Anglia ONE North project	The proposed project consisting of up to 67 wind turbines, up to four offshore electrical platforms, up to one construction, operation and maintenance platform, inter-array cables, platform link cables, up to one operational meteorological mast, up to two offshore export cables, fibre optic cables, landfall infrastructure, onshore cables and ducts, onshore substation, and National Grid infrastructure.
East Anglia TWO project	The proposed project consisting of up to 75 wind turbines, up to four offshore electrical platforms, up to one construction, operation and maintenance platform, inter-array cables, platform link cables, up to one operational meteorological mast, up to two offshore export cables, fibre optic cables, landfall infrastructure, onshore cables and ducts, onshore substation, and National Grid infrastructure.
National Grid infrastructure	A National Grid substation, cable sealing end compounds, cable sealing end (with circuit breaker) compound, underground cabling and National Grid overhead line realignment works to facilitate connection to the national electricity grid, all of which will be consented as part of the proposed East Anglia TWO / East Anglia ONE North project Development Consent Order but will be National Grid owned assets.
National Grid substation	The substation (including all of the electrical equipment within it) necessary to connect the electricity generated by the proposed East Anglia ONE North / East Anglia TWO project to the national electricity grid which will be owned by National Grid but is being consented as part of the proposed East Anglia ONE North / East Anglia TWO project Development Consent Order.



1 Introduction

1. This document presents the Applicants' comments on Thérèse Coffey's Deadline 10 and 11 submissions as follows:
 - Thérèse Coffey's Deadline 10 Submission (REP10-070); and
 - Thérèse Coffey's Deadline 11 Submission – Post hearing submissions including written submissions of oral case (REP11-165).

2. This document is applicable to both the East Anglia TWO and East Anglia ONE North Development Consent Order (DCO) applications, and therefore is endorsed with the yellow and blue icon used to identify materially identical documentation in accordance with the Examining Authority's (ExA's) procedural decisions on document management of 23rd December 2019 (PD-004). Whilst this document has been submitted to both Examinations, if it is read for one project submission there is no need to read it for the other project submission.



2 Comments on Dr Thérèse Coffey's Submissions

2.1 Applicants' Comments Dr Thérèse Coffey's Deadline 10 Submission (REP10-070)

ID	Dr Coffey's Comment	Applicants' Comments
Technology		
1	<p>ScottishPower Renewables claim that:</p> <p><i>"The current schemes could not be built utilising a single HVDC connection. This is due to technology and transmission entry constraints."</i></p> <p>It's clear from the submissions that SEAS have previously made that they do not agree with this statement. Indeed, the applicant's own East Anglia Three project is due to be 1.4 GW and HVDC. The HVDC technology is clearly available to ScottishPower Renewables.</p>	<p>The capacities for East Anglia ONE North and East Anglia TWO are 800MW and 900MW respectively, or 1700MW combined.</p> <p>A 1700MW single connection is not compliant with the Security and Quality of Supply Standard (SQSS) limit of 1320MW.</p> <p>HVDC technology is indeed available to ScottishPower Renewables and is proposed to be used for the East Anglia THREE project. The Applicant's parent company, Iberdrola, has offshore interests internationally and it is through this continued and extensive engagement with the global supply chain that the Applicants have established that High-Voltage Direct Current (HVDC) technology cannot deliver a single connection for 1700MW, and be SQSS compliant.</p>
'Pathfinder' Project		
2	<p>SASES' has outlined an alternative, possible "Pathfinder" project, using HVDC technology to connect EA1N and EA2 windfarms by a coordinated 1.7 GW HVDC Bipole link from an offshore platform to Bramford NGET substation, via a single cable trench from Bawdsey landfall to Bramford NGET substation. This is outlined in their Updated SASES Pathfinder Clarification Note at deadline 9. This alternative could use the existing cable corridor to include cables for both EA1N and EA2 to an existing National Grid substation site, at which the applicant</p>	<p>Please see the response above as to why a 1700MW single connection project is not feasible.</p> <p>Please also see the Applicants Comments on Substation Action Save East Suffolk's (SASES') Deadline 9 Submissions (REP10-020) for further details of why the SASES pathfinder solution would not work.</p>



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	already owns land. This option would cause substantially less environmental damage and economic damage to local communities.	
Bradwell		
3	<p>Scottish Power Renewables state that:</p> <p><i>"It would have required a very significant overhead transmission reinforcement and would not have been deliverable within the timescales. It would not pass the legal requirements for an OFTO scheme of being an economic and efficient connection."</i></p> <p>The long-term capacity of Bradwell as an integrated Wind Energy Hub has significantly greater potential than the Friston site. It is closer to London and on the coast thus negating the need for cable corridors to be dug and re-dug with every future wind farm project attempting to connect to the Grid. It is a brownfield site and in need of development. Whilst the overhead pylon lines will need upgrading and reinforcing at some cost, there will in turn be cost savings from using fewer trenches and cables. Furthermore the cost benefits from integration have been documented in NGEN's Offshore Coordination Phase 1 Final Report which says that:</p> <p><i>"Adopting an integrated approach for all offshore projects to be delivered from 2025 has the potential to save consumers approximately £6 billion, or 18 per cent, in capital and operating expenditure between now and 2050."</i></p>	<p>Please see the Applicants' Written Summary of Oral Case (ISH2) (REP3-085) where the Connections and Infrastructure Option Note (CION) process is presented in detail, including why Bradwell was not taken forward.</p>
Integration and the BEIS Review		



ID	Dr Coffey's Comment	Applicants' Comments
4	<p>The Applicants' response to requests for them to engage in the BEIS Review and the emerging government policy of integration is:</p> <p><i>"The enduring transmission scheme is likely to take until 2030 to deliver. This is beyond the project timelines".</i></p> <p>This may be the case for the 'enduring regime' where multiple HVDC projects from different developers are integrated offshore. But this is not all that the BEIS Review is about. The BEIS Review is phased. Stakeholders have been requested by BEIS to come forward with proposals for 'Pathfinder' projects capable of early implementation. In the case of EA1N and EA2, these two projects can share the same technology, share the same developer (which quite possibly would negate the need for changes to legislation) and therefore have opportunities to integrate within the existing regime and to engage with the BEIS Review as a 'Pathfinder' project or similar. As outlined in SASSES response:</p> <p>"SPR is well placed to integrate these projects and reduce the harm to the environment. This does not require a ring main or shared assets but runs with the government's energy policy. It enables an alternative grid location to be brought forward with less damaging impacts on our environment and coastal communities in line with the White Paper and BEIS Review."</p>	<p>Please see the responses to 'Technology' and 'Pathfinder Project' above.</p>
Offshore Wind Targets		
5	<p>The applicant justifies the urgency of these projects by referencing the government's intensification of the need for the delivery of large volumes of offshore wind capacity. However, these renewable energy targets cannot be isolated from the government's policy on protecting our</p>	<p>The Applicants have made clear submissions on how the Projects fit with the Energy policy set out in EN-1. The needs case for the early deployment of offshore wind is critical to meeting the energy objectives set out in the Energy White Paper. The offshore targets are a central part of the UK Government's response to the challenges of climate change. In addition,</p>



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	<p>natural environment as outlined in the government's 10-point plan and indeed in the energy White Paper, which says:</p> <p><i>"We will safeguard our cherished landscapes, restore habitats for wildlife in order to combat biodiversity loss and adapt to climate change, all whilst creating green jobs."</i></p>	<p>offshore wind is now a technology that can be deployed at a scale in a way that is very efficient and ensures decarbonisation can occur without impacting on consumers' bills. Moreover, the Sector Deal, the Government's 'Ten Point Plan' and the Energy White Paper highlight the economic opportunity that offshore wind deployment at scale can deliver for the UK. Indeed, there are many coastal communities on the East coast of England which stand to benefit greatly from these economic benefits.</p> <p>The Applicants have also brought forward the Projects in the context of the legal and regulatory framework that has been provided. This cannot be ignored and is duly reflected in the relevant NPS EN-1, EN-2 and EN-5.</p> <p>The Applicants acknowledge that the environmental effects of the Project will have to be balanced in any decision. The key residual onshore environmental effects post construction would occur at the substation site to the north of Friston. It is acknowledged that significant residual effects relating to landscape, visual and cultural heritage receptors will occur up to distances of approximately 1km from the substations. In this regard, the Applicants have already engaged with the supply chain and this has resulted in a reduced scale of infrastructure. The Applicants have committed to undertake further comprehensive engagement to seek to make further refinements through the detailed design process. The Applicants have also committed to work with local residents and other local interests to refine the local mitigation proposals. This will seek to refine mitigation and also seek opportunities to provide further opportunities for local biodiversity benefits.</p> <p>Throughout the Application process, the Applicants have worked with and continue to work with the local Councils and other organisations to minimise the environmental effects.</p>



ID	Dr Coffey's Comment	Applicants' Comments
6	<p>SEAS' deadline 8 comments on the Changing Policy Environment sum this up that:</p> <p><i>"The pressing need for renewable energy does not justify the failure to consider the government's environmental policy. This consistent directive is now echoed within the Executive, the Legislative and the Judicial arms of government. The onshore aspects of these projects, as they currently stand, fly in the face of the Prime Minister's 10 Point Plan, the Prime Minister's response to Duncan Baker, the BEIS Review, the Government Energy White Paper, the Dasgupta Review and nearly every report written on Network Transmission in the last 10 years. It is now irrational to say that the policy environment is not one of greater offshore coordination to protect our environment."</i></p>	<p>The Energy White Paper sets out the Government's policy on future offshore grid coordination. It has provided support for the development of a new regime. The issue is that the new regime is not going to be in place in the timeframe required to connect these projects.</p>
<p>The Split Decision</p>		



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7	<p>The applicant states that:</p> <p><i>“Awarding the Projects consent on the basis of a split decision would achieve nothing. Such a project could not bid into a CfD Auction and the engagement of supply chain would stop. Without confidence about delivery, suppliers would cease to engage.”</i></p> <p>As per SEAS' deadline 5 submission, a split decision would, of course, necessitate another DCO to be put forward for the onshore aspect of these works before bidding in CfD. Although given the extension of the examinations, these projects might come too late for the next round of CfD to be opened later this year in any event. If, as has previously been the case, another CfD is not held for another two years, a split decision would give the applicant time to submit a proposal in line with the governments emerging environmental and wind energy policy by ensuring that the onshore infrastructure minimises its environmental and community damage.</p>	<p>The Applicants reaffirm their position as stated. A split decision would not help deliver against the Government's target for the deployment of offshore wind and for addressing climate change.</p>



2.2 Applicants' Comments on Dr Thérèse Coffey's Deadline 11 Submission - Post hearing submissions including written submissions of oral case (REP11-165)

ID	Dr Coffey's Comment	Applicants' Comments
1	<p>Thank you again for allowing me the opportunity to speak at the Issue Specific Hearing on the 28th May 2021. I did commit to sending Hansard links regarding some points I made in the submission.</p>	<p>No further comment</p>
2	<p>The first is James Cartlidge MP's questions to the Prime Minister: https://hansard.parliament.uk/commons/2021-05-19/debates/C4EF032A-1F6B-429D-934DB8BBF28D7B95/Engagements</p> <p>The second is the written ministerial statement from BEIS regarding another application, which I maintain is strongly related to the impact of the Justice Holgate ruling. https://questions-statements.parliament.uk/written-statements/detail/2021-05-12/hcws5</p> <p>JRs are always about technical elements of whether the law was appropriately followed.</p> <p>https://www.judiciary.uk/judgments/pearce-v-secretary-of-state-for-business-energy-and-industrial-strategy/ https://www.judiciary.uk/wp-content/uploads/2021/02/Pearce-v-BEIS.pdf</p> <p>As Justice Holgate ruling (41 pages in length) indicates, he held for the plaintiff on both grounds and granted the quashing of that DCO. This was not on some minor technical point as has been asserted during this latest hearing by the QC responding on behalf of the developer. As such, given that the Government has shown no intent</p>	<p>The terms of Mr Justice Holgate's judgment are noted. It relates to specific aspects of the decision making in respect of the Norfolk Vanguard application. The Applicants have submitted material in the Environmental Statement (ES) and during the examination which utilises the most up to date material that has been made available in relation to other projects. This has included confirmation from Five Estuaries and North Falls offshore wind projects that they are not pursuing a grid connection at Friston.</p>



ID	Dr Coffey's Comment	Applicants' Comments
	<p>of appealing, the legal points laid down by Mr Justice Holgate should be considered in deliberation of whether this proposed DCO takes account of the cumulative impact and I would suggest that as it stands, it does not.</p>	
<p>Verbal Submission</p>		
<p>3</p>	<p>Thank you, Mr Smith, for allowing me to speak today – and for providing me, once again, with a specific time slot, which I really appreciate. As I've been active throughout this process, both in making verbal and written submissions, I wanted to contribute to the end of the hearing by making a number of brief points and provide an update that I think is still relevant to your consideration of the drafting of the DCO in recognition of what is effectively changing government policy.</p>	<p>No comment</p>
<p>4</p>	<p>Firstly, I wanted to draw the examining authorities' attention to comments made by the Prime Minister at PMQs on the 19th of May 2021, when responding to my Suffolk colleague, James Cartlidge, firmly backed the need for an offshore transmission grid.</p> <p>To quote from Hansard:</p> <p><i>"As well as building the fantastic windmills, it is vital that we bring the energy onshore in a way that has minimal disruption for local communities and enables us to maximise efficiency."</i></p> <p>I put it to the examining authority that this application does not lend itself to fulfilling that clear policy statement from the Prime Minister.</p> <p>This is further evidence of the government's policy in this area – which adds to the Prime Minister's 10 Point Plan, The Prime Minister's response to Duncan Baker in parliament, the BEIS</p>	<p>The Applicants have sought to minimise disruption by committing to installing the cables and ducting for the second project in parallel, thereby maximising efficiency.</p> <p>The Prime Minister's statement is consistent with what is stated in the Energy White Paper. The key bullet on page 80 of the White Paper states :</p> <p>"To minimise the impact on local communities, we will implement a more efficient approach to connecting offshore generation to the mainland grid"</p> <p>The White Paper then describes how it proposes to develop the new enduring regime.</p>



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	<p>Review and the Government's Energy White Paper. All of which promote greater offshore coordination to protect the environment and reduce the cumulative impact of associated onshore development.</p>	
5	<p>I've already made the examining authority aware of and they will be aware anyway, of Justice Holgate's ruling when he ruled against the particular project on grounds of cumulative impact, and that not being clearly considered. I'm not aware that the government has decided to appeal that ruling, indeed, in a written statement to Parliament, by the Energy Minister Anne-Marie Trevelyan, they've actually postponed the decision making process for the sister project to the one that was quashed, in order to allow for an effect the effects of that ruling to be considered as part of the planning consent process. And that's why I don't think it's good enough for the applicant simply not to engage in this developing policy landscape that is rapidly emerging. While I appreciate they are not currently legally required to engage on the potential for sharing transmission, the opportunity is open to them to do so. Even at this stage. Their justification that EA1N and EA2 are to be built out too soon to engage with the 'enduring regime' detracts from what they could achieve if they chose to.</p>	<p>The decision referred to did not rule against a project. It found that the decision-making process had failed to have regard to required information. This is a separate issue to considering coordination.</p>
6	<p>As I pointed out at Deadline 10, the 'enduring regime' is not all that the BEIS Review is about:</p> <p>The BEIS Review is phased. Stakeholders have been requested by BEIS to come forward with proposals for 'Pathfinder' projects capable of early implementation. In the case of EA1N and EA2, these two projects can share the same technology, share the same developer, which quite possibly would negate the need for changes</p>	<p>Please see the responses to 'Technology' and 'Pathfinder Project' above.</p>



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	<p>to legislation and therefore have opportunities to integrate within the existing regime and to engage with the BEIS Review as a 'Pathfinder' project or similar.</p> <p>Ensuring this happens now would negate the need for cable corridors to be dug and re-dug with every future wind farm project attempting to connect to the Grid here on the Suffolk coast.</p> <p>This is why I have previously backed a split decision, which would enable an alternative grid connection to be identified that is actually IN LINE WITH the government's emerging environmental and wind energy policy by ensuring that the onshore infrastructure minimises environmental and community damage.</p> <p>Whilst not holding up the overall project, it would also give the applicant sufficient time to relook at the alternatives such as at Bradwell and Bramford. A comprehensive justification for which I made in writing at Deadline 10. Demonstrating the technology is available now.</p>	
7	<p>In short, in order for the Applicant's proposals to adhere to the emerging government policy of greater offshore coordination to protect our environment - which has been backed again at the highest level in Parliament this month. Then the onshore aspects of these projects must be rejected in favour of a grid connection which offers the capacity to integrate multiple projects without having a devastating impact on local communities and our precious landscapes.</p>	<p>The Applications will have to be considered against the decision-making framework provided for within the Planning Act 2008.</p>
8	<p>That is why might in my view, the aspects of the onshore DCO that has been drafted, should be reconsidered, to anticipate an alternative which will certainly help us fulfil the ruling in effect given</p>	<p>The provision of the DCO must relate to the details of the application which has been submitted and which has been assessed in the context of the Environmental Impact Assessment (EIA) regulations.</p>



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	<p>by Justice Holgate. I just want to thank you, I will be putting in a further written submission, or I expect to collate some of those comments further together with some references to Hansard to help inform the examining authority. What I don't have the ability to do is to share the minutes of the meeting. But certainly Suffolk and Norfolk MPs have had regular meetings now with the Minister, also with Ofgem and National Grid on ways forward on how we believe that these sorts of projects specifically this project, can actually be part of that Pathfinder approach and we think it's a very worthy candidate to do so. Thank you very much.</p>	