



## Meeting note

<b>Project name</b>	East Anglia ONE North and East Anglia TWO
<b>File reference</b>	EN010077 and EN010078
<b>Status</b>	<b>Final</b>
<b>Author</b>	The Planning Inspectorate
<b>Date</b>	25 February 2019
<b>Meeting with</b>	ScottishPower Renewables, East Suffolk Council and Suffolk County Council
<b>Venue</b>	
<b>Meeting objectives</b>	Project/Programme Update

### Summary of key points discussed and advice given

The Planning Inspectorate (the Inspectorate) advised that a note of the meeting would be taken and published on its website in accordance with section 51 of the Planning Act 2008 (the PA2008). Any advice given under section 51 would not constitute legal advice upon which Developers (or others) could rely.

### SPR Proposal and Programme

The Developer introduced the meeting and explained that it intends to submit the applications for both East Anglia ONE North and East Anglia TWO offshore wind farms at the same time.

The Developer explained that the proposed East Anglia TWO and East Anglia ONE North projects have been developed in parallel to ensure all stakeholders have a full and complete understanding of SPR's East Anglia development portfolio including cumulative impacts. The Developer explained that this "complete picture" has been requested by many stakeholders. Whilst the projects have been run in parallel, separate applications for both projects will be submitted in October 2019. Each project is its own commercial entity and separate companies have been set up to deliver each project. The Developer stated that it is important for it to maintain separation of the projects to ensure complete flexibility in the financing and delivery of each project. The Developer requested information on how the examination would be run given both projects would be submitting their applications at the same time. This query was raised to understand how stakeholder resources would be managed, and hence the Local Authorities were invited to be part of the discussion.

### The Inspectorate's response

The Inspectorate reiterated its initial advice that it is possible to submit one application for two Nationally Significant Infrastructure Projects (NSIPs), confirming that one Development Consent Order can grant consent for more than one NSIP. This would result in stakeholders only needing to engage in one examination for both NSIPs, this approach would therefore be the Inspectorate's strong preference. The Developer confirmed that it would not be taking this approach. The Local Authorities queried if submitting one application for two NSIPs would result in the Secretary of State only



being able to either grant consent for both projects or to refuse consent altogether. The Inspectorate explained that it is for the Secretary of State to decide which elements of a proposal can be consented (for example regarding the number of turbines) based on what has been applied for. **Post meeting note:** further advice can be provided on this matter if requested, for example regarding how such an application could allow for this.

A discussion was then held regarding the submission date of the applications. The Inspectorate advised that the greater the gap in submissions the better as this would ensure a sufficient gap would exist for only one examination to take place at a time. The Developer confirmed that they are not intending to have such a large gap, and that the applications would be made much closer together with only a maximum of a month apart, at most. The Inspectorate therefore advised that submitting the applications at the same time would be preferable to submitting the applications only weeks/one month apart, as this may enable the Inspectorate to try and arrange the examinations in such a way that minimises resource implications use for all parties involved.

The Local Authorities queried how the Inspectorate is likely to manage the process if the applications are submitted simultaneously and suggested that the preference is for the applications to be submitted together or have a longer gap due to duplication of effort for all parties involved. The Inspectorate advised that it is currently considering if the Planning Act 2008 and the secondary legislation could allow for certain members of an Examining Authority Panel to be appointed to both examinations, and if it would be possible in accordance with the legislation, for one hearing to examine a certain matter related to both proposals. However, the Inspectorate stressed that this approach has not been confirmed at this stage and that further work must be undertaken to ascertain whether the legislation would allow for it and also whether it is possible in practical terms.

The Inspectorate also advised that in accordance with the legislation, it is ultimately for the appointed Examining Authority to determine how the application to which they are appointed will be examined. Examining Authorities are appointed after submission of an application, once (and if) an application is accepted for examination. The Inspectorate advised that, even if it was found to be possible for a single hearing to examine identical/overlapping matters related to both applications, it currently considers that the written submissions would need to be submitted to the relevant project mailbox for the project to which they relate, and the Preliminary Meetings and other hearings would be held separately. The Inspectorate confirmed that it would aim for the deadlines for written submissions and the timing of hearings to be arranged in whatever way is most useful in reducing the resources required for all stakeholders, subject to the appointed Examining Authorities decision on how the relevant applications will be examined.

Noting the above, the Local Authorities confirmed that holding the Preliminary Meetings for both proposals on the same day (one after the other) would be their preference, as opposed to them being held on different days.

### **Areas of overlap between projects**

The Inspectorate asked about similarities between the onshore elements of the two projects. The Developer explained that the onshore order limits for each project's DCO will be identical (i.e. the onshore order limits for East Anglia TWO will be the same as the onshore order limits for East Anglia ONE North). The onshore infrastructure required for



either or both projects would be located within these order limits. The onshore infrastructure required for each project is the same. The location of construction consolidation sites will be the same for both projects within the order limits. The East Anglia TWO, East Anglia ONE North and National Grid Electricity Transmission substations are proposed to be co-located.

The Developer explained that the Environmental Impact Assessment assesses construction of the two projects under two scenarios in the cumulative assessment. These are concurrent construction or sequential construction. Where the sequential scenario is assessed an assumption is made that the East Anglia TWO project would be progressed first. The Local Authorities stated that the substation location for East Anglia TWO has slightly less visual landscape impact and queried whether if only one Development Consent Order is granted then would there be a possibility of ensuring that particular substation location is chosen. The Inspectorate advised that this would depend on whether the relevant application included this site within the application. The Local Authorities suggested that there could be a requirement in the Development Consent Orders for them to consent each exact substation location. The Inspectorate referred to its Advice Note 15 and the advice contained within it, in regard to tailpiece requirements (page 9 [https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/2014/10/advice\\_note\\_15\\_version\\_1.pdf](https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/2014/10/advice_note_15_version_1.pdf)). The Developer confirmed that their Preliminary Environmental Information Report concludes that there is no difference in the impacts between the two substation sites and therefore the DCOs would not seek to have this requirement.

### **Cumulative impact**

The Local Authorities asked what would be done to ensure that the examinations for East Anglia ONE North and East Anglia TWO take into account the other NSIPs located in the area at present or may potentially be in the future. The Developer explained that the extent to which these projects can be taken into the cumulative assessment for East Anglia ONE North and East Anglia TWO projects will follow the Planning Inspectorate's Advice note in this regard to ensure all relevant projects are screened into the assessment. The Developer explained that this exercise was undertaken for the assessments within the Preliminary Environmental Information Reports and will be updated, post s42, for the application. The Inspectorate advised that the Examining Authorities will examine the cumulative impacts and that it should be integral to the Environmental Impact Assessment that will be undertaken.

The Developer reiterated their commitment to an Environmental Impact Assessment which looks at cumulative impacts in a robust manner. They have regular meetings planned with EDF Energy and as more information about Sizewell C becomes available it will include it in their cumulative impact assessment. The Developer explained that it also meets regularly with National Grid Ventures to obtain updates on their project status. Furthermore, the Local Authorities lead the Energy Projects Working Together discussions where all parties meet, and which the Developer are part of.