



East Anglia TWO Offshore Windfarm

Cover letter to the Planning Inspectorate

Applicant: East Anglia TWO Limited
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Pursuant to APFP Regulation: 5(2)(q)

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Shepherd and Wedderburn LLP 4 October 2019		

The Planning Inspectorate
Major Applications and Plans Directorate
Temple Quay House
Temple Quay
Bristol
BS1 6PN

BY HAND

Dear Sirs

**Planning Act 2008 - Application for Development Consent
East Anglia TWO Limited
The Proposed East Anglia TWO Offshore Windfarm Order
Application Reference - EN010078**

We enclose an application for an Order granting development consent (the "Application") pursuant to section 37 of the Planning Act 2008 (the "2008 Act") on behalf of East Anglia TWO Limited (the "Applicant").

1. Subject of the Application

- 1.1 The Application is for development consent to construct and operate the proposed East Anglia TWO Offshore Windfarm, which comprises up to 75 wind turbine generators, overhead line realignment works and associated development (the "Project"). The wind turbine generators would be located in the southern North Sea approximately 32.6 km from the Suffolk coast at its nearest point. The offshore windfarm site occupies an area of up to 218.4 km².
- 1.2 Development consent is required to the extent that development is or forms part of a Nationally Significant Infrastructure Project (NSIP). The Project consists of two linked NSIPs, namely (i) an offshore generating station; and (ii) overhead line realignment works, together with associated development.
- 1.3 As the proposed offshore generating station is expected to have a capacity of over 100 MW, it is an NSIP for the purposes of section 14(1)(a) and 15(3) of the 2008 Act. Pursuant to sections 14(1)(b) and 16 of the 2008 Act, the installation of an electric line above ground in England is an NSIP unless it falls within certain exclusions. It is not anticipated that any of the exclusions would apply to the overhead line realignment works, and as such these works form a second NSIP. It is for these reasons that the Project falls within the remit of the Secretary of State.

2. Documentation enclosed and application fee

- 2.1 We enclose five USBs containing the following documentation:
 - 2.1.1 The completed and signed application form;
 - 2.1.2 The Environmental Statement (ES); and

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- 2.1.3 Each of the other documents listed on the enclosed Schedule.
- 2.2 We also enclose one further USB which contains the confidential information within the application and is labelled accordingly.
- 2.3 A fee in the sum of £7,106 has been submitted by electronic transfer to the account of the Planning Inspectorate (PINS) and receipt has been confirmed.

3. Application formalities

- 3.1 The Application is made in the form required by section 37(3)(b) of the 2008 Act. The Application documentation complies with the requirements of section 37 and the requirements set out in:
 - 3.1.1 The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the “APFP Regulations”);
 - 3.1.2 The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017;
 - 3.1.3 The published Communities and Local Government (CLG) Guidance (March 2015) and the Planning Inspectorate’s Advice Note Six on the preparation and submission of application documents (February 2016).
- 3.2 The Application relates to an offshore generating station and accordingly Regulation 6 (1)(b) of the APFP Regulations (Reg. 6(1)(b)) is applicable to the Application. Reg. 6(1)(b) requires the Application to submit details of the proposed route and method of installation for any cable, and a statement as to whether applications will be made for safety zones. The boxes for providing this information in the Application Form (Document 2.1) become editable only when checking the box “Construction or extension of a non offshore generating station (Reg. 6 (1a))” at Question 22. For that reason, the Applicant was requested by PINS to check that box, in addition to the box corresponding to “Construction or extension of an offshore generating station (Reg. 6 (1b))”. For the avoidance of any doubt, Regulation 6 (1)(b) of Infrastructure Planning (Applications: Prescribed Forms and Procedures) Regulations 2009 is applicable to the Application and the Applicant confirms that the additional information required under Regulation 6(1)(b) has been submitted.

4. Description of the Project

- 4.1 The Application seeks consent for the development outlined above and described in full in Schedule 1 to the draft Order (Document 3.1) and in the ES (Document 6.1). The Project includes the East Anglia TWO offshore wind turbine generators, the overhead line realignment works, and associated development.
- 4.2 The East Anglia TWO offshore wind farm will comprise up to 75 wind turbine generators, up to one meteorological mast and a network of subsea inter-array cables, together with associated development as follows:
 - 4.2.1 up to one offshore construction, operation and maintenance platform;
 - 4.2.2 up to four offshore electrical platforms;
 - 4.2.3 a network of subsea platform link cables;
 - 4.2.4 up to two subsea export cables;



- 4.2.5 landfall connection works north of Thorpeness in Suffolk;
 - 4.2.6 onshore cables from the landfall to the onshore substation;
 - 4.2.7 an onshore substation in Grove Wood, Friston;
 - 4.2.8 accesses, ecological mitigation, and landscaping; and
 - 4.2.9 other works as may be necessary or expedient for the purposes of or in connection with the relevant part of the Project.
- 4.3 The overhead line realignment works will be located in proximity to Grove Wood, Friston and will include:
- 4.3.1 permanent realignment of a short section of the northern and southern overhead line circuits including the reconstruction and/or relocation of up to two pylons and construction of up to one additional pylon in order to realign the northern overhead lines and the reconstruction and/or relocation of up to one pylon in order to realign the southern overhead lines;
 - 4.3.2 temporary diversion of the northern and southern overhead line circuits;
 - 4.3.3 construction of up to three permanent cable sealing end compounds (one of which may include circuit breakers) and underground connections; and
 - 4.3.4 associated development including a new national grid substation, accesses, and other works as may be necessary or expedient for the purposes of or in connection with the relevant part of the Project.
- 4.4 The Project and another project in the former East Anglia Zone, the proposed East Anglia ONE North project, are being developed in parallel. A separate application for development consent is being submitted for the East Anglia ONE North offshore windfarm. The onshore development area, which includes the landfall area, cable corridor and substation site, has been developed to allow for the construction of both the Project, and the proposed East Anglia ONE North project. Both the Project and the proposed East Anglia ONE North project require the national grid connection works (the works set out at 4.3 above) in order to connect to the grid. It is anticipated that this infrastructure will ultimately be owned and operated by National Grid however the intention is that such works are consented under both DCOs but will only be built out under one. A document setting out the differences between the Project and the proposed East Anglia ONE North project application documents is included with the Application (Document 8.21).

5. Consent Flexibility

- 5.1 The draft Order provides for flexibility in relation to the generating station, the overhead line realignment works and the associated development. The Applicant has given careful consideration to the guidance in the National Policy Statements and PINS' Advice Note Nine "Rochdale Envelope", together with the pre-application discussions with PINS. In the Applicant's view, the inclusion of the flexibility provided for in the draft Order is fundamental to whether or not the Order is fit for purpose, and therefore whether or not the Project will proceed.
- 5.2 The environmental impact assessment (EIA) which has been carried out in support of the Application has been careful to take account of the flexibility which is sought in the



Order. This matter is addressed in the ES and in all cases the parameters referred to in the draft Order have been assessed in the ES.

6. Deemed Marine Licences

- 6.1 Included within the draft Order at Schedules 13 and 14 are two deemed marine licences as provided for in section 149A of the 2008 Act. One marine licence is for the generation assets, and one is for the transmission assets. The draft Order, and the deemed marine licences, have been the subject of consultation with, and comment by, PINS, the Marine Management Organisation, the Maritime and Coastguard Agency, Trinity House, Natural England and Historic England.
- 6.2 Where possible or appropriate the Applicant has sought to take comments into account in the documents submitted, but it should not be assumed that any of these organisations have approved the detailed form of the draft Order and deemed marine licences. The Applicant expects to have further discussions to refine some aspects of the detail of the draft Order and deemed licences after acceptance, as has taken place with other accepted NSIP applications.

7. Habitats Regulations

- 7.1 The Application documents include an Information to Support the Appropriate Assessment Report (Document 5.3), as required by Regulation 5(2)(g) of the APFP Regulations. This identifies all relevant European sites and provides sufficient information for the competent authority to determine whether the Project is likely to have an adverse effect on the integrity of any European site. It concludes that where it is considered necessary for the Competent Authority to undertake an Appropriate Assessment the Project is not expected, either alone or in combination with other offshore windfarms or other developments, to have an adverse effect on the integrity of any of those sites. In preparing the report, the Applicant has been mindful throughout of PINS' Advice Note 10 "Habitats Regulations Assessment relevant to Nationally Significant Infrastructure Projects".

8. Compulsory Acquisition

- 8.1 The Applicant is seeking authority within the draft Order to acquire compulsorily land and interests and other related powers to support the delivery of the Project, details of which can be found in the Book of Reference (Document 4.3) and Statement of Reasons (Document 4.1). Adequacy of funding for compensation is dealt with in the Funding Statement (Document 4.2).
- 8.2 The Applicant has applied for a Generation Licence under the provisions of the Electricity Act 1989.

9. Other Consents

- 9.1 Details of other consents and licences not forming part of the draft Order, which the Applicant or others will be seeking in relation to the proposed Project, are set out at Document 5.4.



10. Pre-application consultation

- 10.1 The Applicant has had careful regard to the pre-application consultation requirements of the 2008 Act, the guidance on pre-application consultation issued by CLG and PINS, and its pre-application discussions held with PINS, as required by sections 50 and 55(4) of the 2008 Act.
- 10.2 As required by section 37(3)(c) of the 2008 Act, the Application is accompanied by the Consultation Report (Document 5.1), which provides details of the Applicant's compliance with sections 42, 47, 48 and 49 of the 2008 Act. The responses to consultation are listed and summarised in the Consultation Report and these have informed the evolution of the Application and the Project overall.
- 10.3 Following the pre-application consultation, the Applicant has continued to engage with those affected by the Application in attempting to conclude the acquisition of the land and rights required through agreement.

11. Other matters

- 11.1 Under Regulation 5(2)(l) of the APFP Regulations, an applicant is required to provide a plan of certain nature conservation sites and features and an assessment of any effects on those sites and features likely to be caused by the proposed development. There is an equivalent requirement under Regulation 5(2)(m) in relation to certain historic sites and features. The plans are attached as separate documents (Documents 2.7.1, 2.7.2, 2.8.1 and 2.8.2) however the assessments of any effects on these sites are provided in the ES and not as stand-alone documents.
- 11.2 The offshore Order limits and grid coordinates referred to in the DCO have been provided in a separate plan (Document 2.12). However, it should be noted that for the purposes of re-creating the Order limits the more detailed electronic information contained within the shapefiles, deposited with PINS, should be used.
- 11.3 We look forward to hearing from you in relation to the formal acceptance of the Application,
- 11.4 If we can be of any assistance in that regard, please do not hesitate to contact Julia Bolton (Julia.Bolton@ScottishPower.com) in the first instance.

Yours faithfully

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Julia Bolton
On behalf of East Anglia TWO Limited
Project Manager

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SCHEDULE
Application Documents

Reference	Document
1 Application Form	
1.1	Cover letter to the Planning Inspectorate
1.2	Application Form
1.3	Copies of newspaper notices
1.4	Application Index
1.5	Draft Section 55 Check list
1.6	Guide to the Application
2 Plans	
2.1.1	Location plan (offshore)
2.1.2	Location plan (onshore)
2.2	Land Plans
2.3.1	Works Plan (offshore)
2.3.2	Works Plan (onshore)
2.4	Access to Works Plan
2.5	Temporary Stopping up of PRow Plan
2.6	Permanent Stopping up of PRow Plan
2.7.1	Plan of Statutory/Non-Statutory Historic or Scheduled Monument Sites /Features of the Historic Environment (offshore)
2.7.2	Plan of Statutory/Non-Statutory Historic or Scheduled Monument Sites /Features of the Historic Environment (onshore)
2.8.1	Plan of Statutory/Non-Statutory Sites or Features of Nature Conservation (offshore)



Reference	Document
2.8.2	Plan of Statutory/Non-Statutory Sites or Features of Nature Conservation (onshore)
2.9	Plan showing any Crown land (Offshore)
2.10	Important Hedgerows and Tree Preservation Order Plan
2.11	Radar Line of Sight Coverage Plan
2.12	Order Limits Boundary Coordinates Plan (Offshore)
3 Development Consent Order	
3.1	Draft Development Consent Order
3.2	Explanatory Memorandum
4 Compulsory acquisition information	
4.1	Statement of Reasons
4.2	Funding Statement
4.3	Book of Reference
5 Reports/Statements	
5.1	Consultation Report
5.2	Statement of Engagement with section 79(1) of the Environmental Protection Act 1990
5.3	Information to Support the Appropriate Assessment Report
5.4	Consents and licences required under other legislation
6 Environmental Impact Assessment	
6.1	Environmental Statement
6.2	Figures
6.3	Technical Appendices
6.4	Non-Technical Summary



Reference	Document
6.5	Scoping Opinion
6.6	Schedule of Mitigation (Offshore)
6.7	Schedule of Mitigation (Onshore)
7 Additional Information for specific types of infrastructure	
7.1	Cable statement
7.2	Safety zone statement
8 Other Documents	
8.1	Outline Code of Construction Practice
8.2	Development Consent and Planning Statement
8.3	Design and Access Statement
8.4	Outline Public Rights of Way Strategy
8.5	Outline Written Scheme of Investigation (Onshore)
8.6	Outline Written Scheme of Investigation (Offshore)
8.7	Outline Landscape and Ecological Management Strategy
8.8	Outline Onshore Substation Design Principles Statement
8.9	Outline Construction Traffic Management Plan
8.10	Outline Access Management Plan
8.11	Outline Travel Plan
8.12	Outline Offshore Operations and Maintenance Plan
8.13	Offshore In Principle Monitoring Plan
8.14	Draft Marine Mammal Mitigation Protocol
8.15	Site Characterisation Report (Windfarm Site)
8.16	Site Characterisation Report (Offshore Cable Corridor)



Reference	Document
8.17	In Principle Southern North Sea Special Area of Conservation Site Integrity Plan
8.18	Outline Navigation Monitoring Strategy
8.19	Scheme Implementation Report
8.20	Outline pre-commencement archaeological execution plan
8.21	Interface document

