



The Planning Inspectorate

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The Applicant, all Statutory Parties
and all Interested Parties

Your Ref:

Our Ref: EN010078

Date: 23 December 2019

Dear Sir/Madam

Planning Act 2008 (as amended) – Procedural Decisions under s89(3)

Application by East Anglia TWO Limited for an Order Granting Development Consent for the East Anglia TWO Offshore Wind Farm

Initial Preparation for Examination

We write as the appointed Examining Authority (ExA) for this application to advise you of our appointment and of some initial procedural decisions that we have made to assist us, the Applicant and Interested Parties (IPs) to prepare for examination in due course. On 13 December 2019, I (Rynd Smith) was appointed as Lead Member, and Mike Harris, Jessica Powis, Caroline Jones and Guy Rigby were appointed as members of a five-person Panel ExA.

The same people were also appointed on the same date as a separate ExA to examine an application by East Anglia ONE North Limited for an Order Granting Development Consent for the East Anglia ONE North Offshore Wind Farm. A separate letter drafted in the same terms as this letter has also been published in relation to that appointment.

Links to information about the appointments of both ExAs can be seen in **Annex A** to this letter.

Procedural Decisions

Procedural decisions have been made on the following matters:

- Provision to the ExA by the Applicant of hard copy documents associated with seascape, landscape and visual impact assessment, to enable initial preparation for examination;

- Practice in relation to the submission of documents relating to this application alone, to the application for the East Anglia ONE North application alone and to both applications together; and
- Adoption by the Applicant (and by IPs in due course) of a means of distinguishing between documents submitted relating to this application alone, to the application for the East Anglia ONE North application alone and to both applications together, where these documents may be materially the same in content, or materially different in part or in whole.

The detailed procedural decisions can be seen in **Annex B** to this letter.

In making these procedural decisions, the ExA is conscious that the process of registration for IPs will be ongoing until 27 January 2020. We are conscious of our duty to all IPs to notify them of procedural decisions as soon as reasonably practicable. In this instance, we will provide notice of these procedural decisions again when we write to all IPs setting out our initial proposals for the Examination of this application under Rule 6 of the Infrastructure Planning (Examination Procedure) Rules 2010 (the EPR) (the Rule 6 Letter). The Rule 6 Letter will be sent after the conclusion of the registration period. It will advise of the arrangements for a Preliminary Meeting at which procedural arrangements for the examination of this application will be discussed.

Please note that the ExA may make additional procedural decisions both before and during the Preliminary Meeting, and during the examination process.

Finally, information relating to **this application** can be inspected online at:

<https://infrastructure.planninginspectorate.gov.uk/projects/eastern/east-anglia-two-offshore-windfarm/>

Information about the **East Anglia ONE North application** can be inspected online at:

<https://infrastructure.planninginspectorate.gov.uk/projects/eastern/east-anglia-one-north-offshore-windfarm/>

If you have any questions about these decisions, please contact the Case Team using the details at the top of this letter.

Yours faithfully

Rynd Smith

Rynd Smith
Lead Member of the Examining Authority

This communication does not constitute legal advice.
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Appointments of Examining Authorities under the Infrastructure Planning (Examination Procedure) Rules 2010 (EPR), Rule 4

A letter of appointment and the membership of an Examining Authority (ExA) to examine an application for the East Anglia TWO Offshore Wind Farm (EN010077) under the Planning Act 2008 (as amended) (PA2008) sections (ss) 61 and 65 and EPR Rule 4 can be viewed here:

<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010078/EN010078-001679-Notice%20of%20Appointment%20of%20Panel%20of%20Examiners%20EN010078.pdf>

**Procedural Decisions under Planning Act 2008 (as amended)
(PA2008) s89(3)**

1. Hard copy documents associated with seascape, landscape and visual impact assessment, to enable initial preparation for examination

- a. Chapters 28 and 29 of the Environmental Statement (ES) deal respectively with Seascape, Landscape and Visual Amenity (Impact Assessment) (SLVIA) and Landscape and Visual Impact Assessment (LVIA). The former relates to the potential offshore effects of (for example) the wind turbine generator array and associated platforms as perceived within seascapes observed offshore and from the shoreline. The latter relates to the effects of (for example) above ground electricity line and substation infrastructure as perceived within landscapes onshore.
- b. Each relevant ES Chapter is supported by a series of figures providing plans (covering issues including landscape designations, viewpoint locations etc) together with visual montages of the development proposals. In respect of the latter, it is noted that these have been produced following recognised Landscape Institute guidelines and that adhering to the printing and viewing guidelines is an important aspect of accurately understanding what is being presented.
- c. Seascape and landscape assessment processes require people undertaking and making judgments about assessments to have regard to consistently produced versions of visual montages. The Landscape Institute guidelines anticipate that these are produced in hard copy in order to provide assurances about consistency. Given the importance of accurate printing and consistency between the versions of montages used by the Applicant's consultant assessors and by the ExA itself, the ExA requests that a certified set of printed figures/plans and montages are provided to it for each relevant ES chapter. In respect of the montages, these should be printed in a form/at a scale that allows for accurate viewing and, where necessary, instructions should be provided which detail how they should be viewed. If feasible, it would be preferable to have montages produced at A3 to allow for ease of use in the field.
- d. Viewpoint figures/montages should be bound separately from any viewpoint location and designation plans in order to facilitate cross-reading in the field.
- e. Two hard copy sets should be provided to the Planning Inspectorate marked for the attention of the Case Manager by **16 January 2020**.

2. Practice in relation to the submission of documents relating to this application alone, to the application for the East Anglia ONE North application alone and to both applications together

- a. The ExA appointed to examine this application consists of the same people as the ExA appointed to examine the application for the East Anglia ONE North

offshore wind farm. Whilst the ExAs consist of the same people, they are two separately appointed ExAs, and the applications are two separate and distinct applications. The two examination processes will take place concurrently.

- b. It is important that each application is decided with reference to its own complete set of documents. Neither the Secretary of State (SoS) nor the ExA will be able to have regard to documents submitted in relation to one application that by implication or express statement are relevant to the other application, unless they have also been submitted to the examination for the other application.
- c. For these reasons, **any person submitting a document to one examination which contains information, opinion or evidence relating to the other examination, must also submit that document to the second examination.**

Documents can be submitted to this examination at:

EastAngliaTwo@planninginspectorate.gov.uk

Documents can be submitted to the East Anglia ONE North offshore wind farm examination at:

EastAngliaOneNorth@planninginspectorate.gov.uk

- d. **Documents should only be submitted to one examination alone if they are unique to that examination.** By 'unique', the ExA means that the document relates solely to the one examination, for example because it addresses an aspect in which that application differs from the other application, or because the author of the document intends to support or object to solely that application and not the other application.

3. Adoption by the Applicant (and by IPs in due course) of a means of distinguishing between documents submitted relating to this application alone, to the application for the East Anglia ONE North application alone and to both applications together, where these documents may be materially the same in content, or materially different in part or in whole

- a. The ExAs, the Applicants and IPs in both examinations need to be able to distinguish efficiently and clearly between documents (and sections of documents) that are applicable solely to one application and examination alone and documents (and sections of documents) that have content applicable to both examinations (where that content is materially the same).
- b. The Applicants and IPs are requested when preparing **electronic documents** for submission to either or both examinations to take the following steps:
 - Each document (or in documents with multiple sections, each section of the document) is to include on the front page and in a header on each following page, a colour coding visible at the top right hand side of the page:

Where the document (or section) is unique to this application, a blue icon:



Where the document (or section) is unique to the East Anglia ONE North application, a yellow icon:



Where the document (or section) includes content that applies to both applications and is materially identical, a yellow and blue icon:



- For each document (or in documents with multiple sections, each section of the document) is to include the following text on the front page and in a footer on each page:

Where the document (or section) is unique to this application:

APPLICABLE TO EAST ANGLIA TWO

Where the document (or section) is unique to the application for East Anglia ONE North:

APPLICABLE TO EAST ANGLIA ONE NORTH

Where the document (or section) includes content that applies to both applications and is materially identical:

APPLICABLE TO EAST ANGLIA ONE NORTH AND EAST ANGLIA TWO

- c. An electronic document in Microsoft Word format containing copyable versions of the icons and text included in this procedural decision can be obtained on request to the email addresses in Procedural Decision 2(c) above.
- d. The submission of electronic documents is preferred by the ExAs. However, if **hard copy or handwritten documents** are to be submitted, the authors of those documents are requested to label or endorse each page in typescript or handwriting as follows:

Where the document (or section) is unique to this application:

APPLICABLE TO EAST ANGLIA TWO

Where the document (or section) is unique to the application for East Anglia ONE North:

APPLICABLE TO EAST ANGLIA ONE NORTH

Where the document (or section) includes content that applies to both applications and is materially identical:

APPLICABLE TO EAST ANGLIA ONE NORTH AND EAST ANGLIA TWO