



The Planning Inspectorate  
National Infrastructure Directorate  
Temple Quay House  
Temple Quay  
Bristol  
BS1 6PN

Dear Sirs

**East Anglia TWO Limited (the “Applicant”) The Proposed East Anglia TWO Offshore Windfarm Order Application Ref. EN010078**

**Deadline 5 Submissions**

We refer to the Planning Inspectorate’s Rule 8(3) letter dated 8 December 2020 (the “**Rule 8 Letter**”). In accordance with the deadlines at Annex A of the Rule 8 Letter, we enclose the following documents in response to the 3 February 2021 Deadline:

1. Guide to the Application;
2. Written Summary of Oral Case (ISH3);
3. Written Summary of Oral Case (ISH4);
4. Written Summary of Oral Case (ISH5);
5. Written Summary of Oral Case (ISH6);
6. Responses to Hearing Action Points;
7. Draft Development Consent Order (version 4);
8. Draft Development Consent Order (tracked);
9. Schedule of Changes to the Draft DCO;
10. Comments on Natural England’s Deadline 3 Submissions (Area of Outstanding Natural Beauty);
11. Comments on Natural England’s Deadline 4 Submissions;
12. Comments on Marine Management Organisation’s Deadline 4 Submissions;
13. Comments on The Wildlife Trusts’ Deadline 4 Submissions;
14. Comments on Historic England’s Deadline 4 Submissions;
15. Comments on RSPB’s Deadline 4 Submissions;
16. Comments on SASES’ Deadline 4 Submissions;
17. Comments on Trinity House’s Deadline 4 Submissions;
18. Comments on Maritime and Coastguard Agency’s Deadline 4 Submissions;
19. Comments on Suffolk County Council’s Deadline 4 Submissions;
20. Comments on East Suffolk Council’s Deadline 4 Submissions;
21. Comments on the UK Power Networks’ Deadline 4 Submissions;

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**ScottishPower Renewables / 320 St Vincent Street, Glasgow, G2 5AD**



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22. Statement of Commonality;
23. The Statements of Common Ground (SoCGs) listed in Annex A to this letter; and
24. The additional submissions listed in Annex B to this letter.

### **Statements of Common Ground**

Procedural Decision 7 contained within the Rule 6 Letter dated 21 February 2020 requested SoCGs with the Interested Parties and Other Parties listed in Annex G. Procedural Decision 15 contained within the Rule 6 Letter dated 16 July 2020 requested SoCGs with additional Interested Parties listed therein. Table 1 in Annex A to this letter contains the full list of Interested Parties and Other Parties for which a draft SoCG has been submitted at this deadline.

Table 2 in Annex A to this letter provides a list of the Interested Parties and Other Parties identified in Procedural Decision 7 and Procedural Decision 15 contained within the Rule 6 Letter for which a draft SoCG has not been provided, together with brief details of the status of the SoCG.

Table 3 in Annex A to this letter provides a list of the Interested Parties and Other Parties for which a draft SoCG was submitted at a previous deadline and an updated draft SoCG has not been provided, together with brief details of the status of the SoCG.

Table 4 in Annex A to this letter provides a list of Interested Parties and Other Parties for which a signed SoCG was submitted at a previous deadline and therefore an updated SoCG will not be provided.

### **Additional Submissions**

Annex B to this letter contains a list of additional submissions that are being made by the Applicant at this 3 February 2021 deadline. The Applicant considers that these provide information, clarifications and updates useful to both the Examining Authority and Interested Parties.

The Applicant has not provided an updated version of **ExQ1.3.3 Crown Land and Consent** (document reference REP1-123) in accordance with ExQ1.3.3 which states “*If at any given deadline an empty table is provided, a revised table need not be provided at any subsequent deadlines unless the Applicant becomes aware that the data and assumptions on which the empty table was provided have changed*”. An empty table was submitted by the Applicant at Deadline 1 on 2 November 2020 and the Applicant is not aware of any changes which require an updated table to be submitted.

### **Further Hearings to Address Technical Matters**

In response to Hearing Action Point 13 (ISH5), the Applicant suggests a further issue specific hearing is included in the Examination timetable on the dates reserved in March 2021 covering red-throated diver and the Outer Thames Estuary SPA, to which Natural England as the statutory nature conservation body is invited. There are differences in position and opinion on this matter between the Applicant and Natural England.





The Applicant considers that it is likely that other matters can be dealt with by way of written submissions and further direct engagement between the Applicant and relevant Interested Parties. The Applicant considers this to be the most resource-efficient and effective way to focus and to close out issues so that the Examination, which has already been delayed by over six months, can conclude in accordance with the current timetable.

If however, the ExA considers that further hearings are necessary in order to assist the ExA in examining the Project then the Applicant considers that any further hearings should be used to allow the ExA to thoroughly interrogate the evidence presented by all of the parties in attendance in order to seek to close out matters and to ultimately assist the ExA in making its recommendation.

The Applicant considers that to date the Examination, which is predominantly a written process, has afforded all interested parties with significant opportunity to comment on the Application, both in writing and orally. The Applicant considers that matters have now been extensively ventilated and that the focus of the remainder of the Examination should be on closing out issues, finalising positions in respect of technical matters and refining any requirements or documents to be certified.

All of the documents enclosed with this submission are designed to be viewed electronically.

We would be grateful if you could kindly acknowledge safe receipt of this letter and the enclosures.

Yours faithfully

Richard Morris, Senior Project Manager  
**East Anglia TWO Limited**

Enclosures





**ANNEX A**

**Table 1: Interested Parties and Other Parties identified in Procedural Decisions 7 and 15 for which a draft SoCG has been submitted at Deadline 5**

Interested Party	Status of SoCG
Historic England	Third draft submitted in respect of offshore matters.
Marine Management Organisation	Fourth draft submitted.
Maritime and Coastguard Agency	Third draft submitted. All matters agreed (subject to MCA review of the draft DCO submitted at Deadline 5) with the exception of data checks on hydrographic data. Signed version will be submitted by Deadline 8.
Trinity House	Third draft submitted. All matters agreed (subject to Trinity House review of the draft DCO submitted at Deadline 5). Signed version will be submitted by Deadline 8.

**Table 2: Interested Parties and Other Parties identified in Procedural Decisions 7 and 15 for which a draft SoCG has not yet been provided**

Interested Party	Status of SoCG
Anglian Water Services Limited	In progress. The Applicant hopes to be in a position to submit a draft SoCG soon.
Cadent Gas Limited	Discussions ongoing regarding the need for a SoCG.
East Anglia ONE Limited	In progress. The Applicant hopes to be in a position to submit a draft SoCG soon.
Historic England	The first draft SoCG in respect of onshore matters is in progress and the Applicant hopes to be in a position to submit this soon.
Network Rail Infrastructure Limited	Discussions ongoing regarding the need for a SoCG.
Nuclear Decommissioning Authority/Magnox Sizewell A	In progress. The Applicant hopes to be in a position to submit a draft SoCG soon.
Pilotage	No Relevant Representations have been received from pilotage stakeholders and at this stage the Applicant does not anticipate there to be any need for a SoCG with any pilotage stakeholders.
Port Authorities and Operators	No Relevant Representations have been received from port authorities or port operators and at this stage the Applicant does not anticipate there to be any need for a SoCG with any port authorities or port operators.
Suffolk Wildlife Trust	Suffolk Wildlife Trust advised the Applicant that they do not intend to participate in the Examination process however should this position change the Applicant would be happy to progress a SoCG with Suffolk Wildlife Trust.
UK Power Networks	UK Power Networks did not submit a Relevant Representation and it is not known at this stage whether a SoCG will be progressed.





**Table 3: Interested Parties and Other Parties identified in Procedural Decision 7 and 15 for which an updated draft SoCG has not been provided at Deadline 5**

Interested Party	Status of SoCG
Chamber of Shipping	All matters agreed. Signed version will be submitted by Deadline 8.
Civil Aviation Authority	All matters agreed. Signed version will be submitted by Deadline 8.
Commercial Fisheries Working Group	All matters agreed. Signed version will be submitted by Deadline 8.
East Suffolk Council and Suffolk County Council	The second draft in respect of human health, land use, traffic and transport, socio-economics, tourism, LVIA, archaeology, SLVIA, noise and vibration, water resources and flood risks and public rights of way and a third draft of ground conditions and contamination, air quality, onshore ecology and onshore ornithology are in progress and the Applicant hopes to be in a position to submit these soon.
East Suffolk Internal Drainage Board	The third draft of the SoCG is in progress and the Applicant hopes to be in a position to submit this soon.
Eastern Inshore Fisheries Conservation Authority	All matters agreed. Signed version will be submitted by Deadline 8.
EDF Energy Nuclear Generation Limited	The second draft of the SoCG is in progress and the Applicant hopes to be in a position to submit this soon.
Environment Agency	All matters agreed. Signed version will be submitted by Deadline 8.
Highways England	All matters agreed. Signed version will be submitted by Deadline 8.
Ministry of Defence	All matters agreed. Signed version will be submitted by Deadline 8.
National Air Traffic Services	The third draft of the SoCG is in progress. Finalisation of the SoCG is contingent on completing negotiation on a commercial agreement which is ongoing
National Federation of Fishermen's Organisations/VisNED	Signed version will be submitted by Deadline 8.
National Grid Electricity - System Operator	All matters agreed. Signed version will be submitted by Deadline 8.
National Grid Electricity - Transmission	The second draft of the SoCG is in progress and the Applicant hopes to be in a position to submit this soon.
National Grid Ventures	All matters agreed. Signed version will be submitted by Deadline 8.
Natural England	The second draft of the SoCG in respect of offshore matters, onshore matters and offshore ornithology is in progress and the Applicant hopes to be in a position to submit this soon.





NNB Generation Company (SZC) Limited	The second draft of the SoCG is in progress and the Applicant hopes to be in a position to submit this soon.
Office for Nuclear Regulation	The second draft of the SoCG is in progress and the Applicant hopes to be in a position to submit this soon.
Rijkswaterstaat	All matters agreed. Signed version will be submitted by Deadline 8.
Royal Society for the Protection of Birds	The third draft SoCG in respect of offshore ornithology and onshore ornithology is in progress and the Applicant hopes to be in a position to submit these soon.
Substation Action Save East Suffolk	The second draft of the SoCG is in progress and the Applicant hopes to be in a position to submit this soon.
Suffolk Coasts and Heaths AONB	The second draft of the SoCG is in progress and the Applicant hopes to be in a position to submit this soon.
Suffolk Preservation Society	The second draft of the SoCG is in progress and the Applicant hopes to be in a position to submit this soon.
The Wildlife Trust	The second draft of the SoCG is in progress and the Applicant hopes to be in a position to submit this soon.

**Table 4: Interested Parties and Other Parties identified in Procedural Decision 7 for which a signed SoCG has already been submitted**

<b>Interested Party</b>	<b>Status of SoCG</b>
Diamond Transmission Partners Galloper Limited	Signed and submitted at Deadline 1
East Anglia THREE Limited	Signed and submitted at Deadline 4
Greater Gabbard OFTO	Signed and submitted at Deadline 1





## **ANNEX B**

### **Additional submissions submitted at Deadline 5 by the Applicant**

1. Environmental Statement - Appendix 6.2 - Relationship of Onshore Plans Secured by the DCO (version 3)
2. Environmental Statement - Appendix 6.3 - Relationship of Offshore Plans Secured by the DCO (version 3)
3. Displacement of red-throated divers in the Outer Thames Estuary SPA (version 2)
4. East Anglia ONE Operation Phase Noise Monitoring Report
5. Proposed Protective Provisions for EDF Energy Nuclear Generation Limited (Sizewell B)
6. Proposed Protective Provisions for NNB Generation Company (SZC) Limited (Sizewell C)
7. EA2 Schedule of CA and TP objections (version 5)
8. EA2 Schedule of CA and TP objections (tracked)
9. EA2 PA2008 s127 statutory undertakers' land or rights (version 5)
10. EA2 PA2008 s127 statutory undertakers' land or rights (tracked)
11. EA2 PA2008 s138 Statutory undertakers apparatus etc (version 5)
12. EA2 PA2008 s138 Statutory undertakers apparatus etc (tracked)

