



SCOTTISHPOWER  
RENEWABLES

# East Anglia TWO and East Anglia ONE North Offshore Windfarms

## Draft Statement of Common Ground

NATS (En Route) plc (NATS)

Applicants: East Anglia ONE North Limited and East Anglia TWO Limited

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Applicable to **East Anglia ONE North** and **East Anglia TWO**



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## Glossary of Acronyms

APP	Application Document
DCO	Development Consent Order
EIA	Environmental Impact Assessment
ES	Environmental Statement
ExA	Examining Authority
NATS	National Air Traffic Services (En Route) plc
PD	Procedural Decision
PINS	Planning Inspectorate
SoCG	Statement of Common Ground

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## Glossary of Terminology

Applicants	East Anglia TWO Limited / East Anglia ONE North Limited.
Cable sealing end compound	A compound which allows the safe transition of cables between the overhead lines and underground cables which connect to the National Grid substation.
Cable sealing end (with circuit breaker) compound	A compound (which includes a circuit breaker) which allows the safe transition of cables between the overhead lines and underground cables which connect to the National Grid substation.
Construction consolidation sites	Compounds associated with the onshore works which may include elements such as hard standings, lay down and storage areas for construction materials and equipment, areas for vehicular parking, welfare facilities, wheel washing facilities, workshop facilities and temporary fencing or other means of enclosure.
Construction operation and maintenance platform	A fixed offshore structure required for construction, operation, and maintenance personnel and activities.
Development area	The area comprising the onshore development area and the offshore development area (described as the 'order limits' within the Development Consent Order).
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.
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 / ONE North windfarm site	The offshore area within which wind turbines and offshore platforms will be located.
Generation Deemed Marine Licence (DML)	The deemed marine licence in respect of the generation assets set out within Schedule 13 of the draft DCO.
Inter-array cables	Offshore cables which link the wind turbines to each other and the offshore electrical platforms, these cables will include fibre optic cables.
Jointing bay	Underground structures constructed at intervals along the onshore cable route to join sections of cable and facilitate installation of the cables into the buried ducts.
Landfall	The area (from Mean Low Water Springs) where the offshore export cables would make contact with land, and connect to the onshore cables.
Meteorological mast	An offshore structure which contains metrological instruments used for wind data acquisition.
Mitigation areas	Areas captured within the onshore development area specifically for mitigating expected or anticipated impacts.
National electricity grid	The high voltage electricity transmission network in England and Wales owned and maintained by National Grid Electricity Transmission



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 TWO / East Anglia ONE North project to the national electricity grid which will be owned by National Grid but is being consented as part of the proposed East Anglia TWO / East Anglia ONE North project Development Consent Order.
Offshore cable corridor	This is the area which will contain the offshore export cables between offshore electrical platforms and landfall.
Offshore development area	The East Anglia TWO / East Anglia ONE North windfarm site and offshore cable corridor (up to Mean High Water Springs).
Offshore electrical infrastructure	The transmission assets required to export generated electricity to shore. This includes inter-array cables from the wind turbines to the offshore electrical platforms, offshore electrical platforms, platform link cables and export cables from the offshore electrical platforms to the landfall.
Offshore electrical platform	A fixed structure located within the windfarm area, containing electrical equipment to aggregate the power from the wind turbines and convert it into a more suitable form for export to shore.
Offshore export cables	The cables which would bring electricity from the offshore electrical platforms to the landfall. These cables will include fibre optic cables.
Offshore platform	A collective term for the construction, operation and maintenance platform and the offshore electrical platforms.
Onshore cable corridor	The corridor within which the onshore cable route will be located.
Onshore cable route	This is the construction swathe within the onshore cable corridor which would contain onshore cables as well as temporary ground required for construction which includes cable trenches, haul road and spoil storage areas.
Onshore cables	The cables which would bring electricity from landfall to the onshore substation. The onshore cable is comprised of up to six power cables (which may be laid directly within a trench, or laid in cable ducts or protective covers), up to two fibre optic cables and up to two distributed temperature sensing cables.
Onshore development area	The area in which the landfall, onshore cable corridor, onshore substation, landscaping and ecological mitigation areas, temporary construction facilities (such as access roads and construction consolidation sites), and the National Grid Infrastructure will be located.
Onshore substation	The East Anglia TWO / East Anglia ONE North substation and all of the electrical equipment within the onshore substation and connecting to the National Grid infrastructure.
Platform link cable	Electrical cable which links one or more offshore platforms. These cables will include fibre optic cables.
Scour protection	Protective materials to avoid sediment being eroded away from the base of the foundations as a result of the flow of water.
Transition bay	Underground structures at the landfall that house the joints between the offshore export cables and the onshore cables.
Transmission DML	The deemed marine licence in respect of the transmission assets set out within Schedule 14 of the draft DCO.



# 1 Introduction

## 1.1 Background

1. This document is applicable to both the East Anglia ONE North and East Anglia TWO 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) procedural decisions on document management of 23<sup>rd</sup> 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. This Statement of Common Ground (SoCG) has been prepared by East Anglia TWO Limited, East Anglia ONE North Limited (hereafter the Applicants) and NATS (En Route) plc (NATS) in relation to the East Anglia TWO project and the East Anglia ONE North project (the Projects). It identifies areas of the Projects' Development Consent Order (DCO) applications (the Applications) where matters are agreed or not agreed between the Applicants' and NATS (the Parties).
3. The Applicants' have had regard to the guidance for the examination of applications for development consent (Department for Communities and Local Government, 2015) when compiling this SoCG.
4. This SoCG has been structured to reflect topics of the Applications which are of interest and relevant to NATS and its operations under statute. Topic specific matters agreed, not agreed and actions to resolve matters between the Applicants and NATS are included within this SoCG.
5. The table(s) presented below represent the SoCG between the Applicants and NATS in respect of the following topic(s):
  - Civil Aviation and Radar; and
  - Development Consent Order (DCO).
6. Throughout the SoCG, the phrase "Agreed" identifies any point of agreement between the Applicants and NATS.
7. The phrase "Not Agreed" identifies any point that is not yet agreed between the Applicants and NATS. Matters that are not yet agreed will be the subject of ongoing discussion between the Applicants and NATS to reach agreement on the matter wherever possible, or refine the extent of disagreement between the Parties. The notes column of the SoCG tables provides commentary on these matters.



## 1.2 The Development

8. The key offshore components of each Project will comprise:

- Offshore wind turbines and their associated foundations;
- Offshore platforms - up to four offshore electrical platforms and their associated foundations supporting some of the windfarm's electrical equipment, and up to one construction, operation and maintenance platform and associated foundations that may cater for personnel and activities required during the construction phase and operation and maintenance of the windfarm;
- Sub-sea cables between the wind turbines and offshore electrical platforms (inter-array), between separate offshore platforms (platform link cables) and between offshore electrical platforms and the landfall (export cables);
- Scour protection around foundations and on inter-array, platform link and export sub-sea cables as required; and
- Potential for one meteorological mast (met mast) and its associated foundations for monitoring wind speeds during the operational phase of the windfarm.

9. The key onshore components of each Project, will comprise:

- The landfall site with up to two transition bays to connect the onshore and offshore cables;
- Up to six onshore cables, up to two fibre optic cables and up to two distributed temperature sensing cables installed underground (some or all of which may be installed in ducts) and associated jointing bays installed underground;
- Onshore substation; and
- Electrical cable connection between the onshore substation and National Grid substation.

10. National Grid infrastructure will also be required to connect each Project to the national electricity grid. Key components of the National Grid infrastructure which are common to both Projects will comprise:

- National Grid substation;
- Cable sealing end compounds and a cable sealing end (with circuit breaker) compound; and
- Realignment of the existing overhead lines; including the reconstruction or replacement of up to three existing overhead pylons in proximity to the National Grid substation and the addition of up to one new pylon in close proximity to existing overhead pylons.





### 1.3 Consultation with NATS

11. This section briefly summarises the consultation that the Applicants have had with NATS. Further details on the stakeholder engagement process for civil aviation and radar can be found in the **Consultation Report** (APP-029).

#### 1.3.1 Pre-Application

12. The Applicants engaged with NATS during the pre-application process, both in terms of informal non-statutory engagement and formal consultation carried out pursuant to section 42 of the Planning Act 2008.

13. NATS responded to the section 42 consultation regarding the Projects.

#### 1.3.2 Post-Application

14. NATS made a relevant representation to the Planning Inspectorate on 27<sup>th</sup> January 2020.

15. **Table 1.1** provides an overview of meetings and post application correspondence undertaken with NATS regarding Civil Aviation and Radar.

**Table 1.1 Summary of post application consultation with NATS regarding Civil Aviation and Radar**

Date	Contact Type	Topic
<b>Post-Application</b>		
31 January 2020	Meeting	NATS mitigation requirements
23 April 2020	Meeting	First SoCG Meeting
9 April 2021	Meeting	Meeting to discuss the Commercial Side Agreement (the Mitigation & Services Contract)

### 1.4 Summary of Agreed, Not Agreed and Outstanding Matters

16. **Table 1.2** provides a summary of the matters agreed, not agreed and those which are outstanding between the Applicants and NATS for each of the relevant receptor topics. For further information on agreements that are outstanding / under discussion and for which the Applicants and NATS are working to address within the examination period, see the detailed agreement table, **Table 2.1**.

**Table 1.2 Summary of Agreed, Not Agreed and Outstanding Matters for Receptor Topic Areas Raised by NATS**

Topic	Agreed, Disagreed or Outstanding
Civil Aviation and Radar	Outstanding
Development Consent Order	Outstanding



## 2 Statement of Common Ground

17. The areas of agreement and disagreement between the Applicants and NATS are set out below.

### 2.1 Civil Aviation and Radar

18. Each Project will impact upon Civil Aviation and Radar. **Chapter 15 Civil and Military Aviation and Radar** of the Environmental Statement (ES) (APP-063) provides an assessment of the significance of these impacts.

19. **Table 2.1** below provides areas of agreement and disagreement with NATS regarding civil aviation and radar.

20. As set out at **Table 2.1** below, the assessment undertaken concludes that the Projects will have significant impacts upon Civil Aviation and Radar and that the Applicants will need to secure the required mitigation through DCO Requirement 35 and related commercial agreements.

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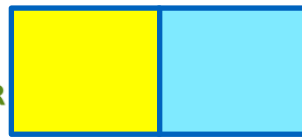


Table 2.1 Civil Aviation and Radar

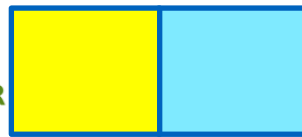
ID	Topic	Statement	East Anglia TWO Limited Position	East Anglia ONE North Limited Position	NATS position	Notes
<b>Environmental Impact Assessment</b>						
NATS-101	Existing Environment	Description of baseline conditions is accurate in terms of aviation and radar activity undertaken within the Project sites and surrounding area.	Agreed	Agreed	Agreed	None
NATS-102	Assessment Methodology	The impact assessment has been undertaken using suitable methodologies.	Agreed	Agreed	Agreed	None
NATS-103	Assessment Conclusions	The assessment is appropriate and has made the correct conclusions that the Projects will have significant impacts upon Civil Aviation and Radar.	Agreed	Agreed	Agreed	None
NATS-104	Mitigation	The proposed mitigation, radar blanking and a Transponder Mandatory Zone, is appropriate to reduce the residual impacts and will be secured through DCO Requirement 35 and commercial agreements.	Agreed	Agreed	Agreed	<p>Negotiation of the Agreements (the Mitigation &amp; Services Contracts) has commenced, and the Parties are working to have them completed by Deadline 9 to allow submission of a Final SoCG at Deadline 9.</p> <p><b>Deadline 8 update:</b> The Agreement is with the Applicant and NATS are waiting for a response. A meeting has been set up on the 1<sup>st</sup> April</p>



ID	Topic	Statement	East Anglia TWO Limited Position	East Anglia ONE North Limited Position	NATS position	Notes
						<p>2021 to discuss the Commercial Side Agreement.</p> <p><b>Deadline 9 update:</b> The parties met on 9<sup>th</sup> April 2021 to discuss the Commercial Side Agreement and outstanding matters. It was agreed between the parties that they would aim to complete negotiations for Deadline 11 – 7<sup>th</sup> June 2021.</p>
<b>Communication</b>						
NATS-105	Communication	The level and quality of communication between the Applicants and NATS to date has been appropriate.	Agreed	Agreed	Agreed	None
<b>Draft Development Consent Order (DCO)</b>						
NATS-106	Wording of Requirement(s)	<p>The wording of the following requirement pertaining to Civil Aviation and Radar is appropriate and adequate:</p> <ul style="list-style-type: none"> <li>Requirement 35 provided within DCO Schedule 1, Part 3 with reference to Cromer Primary Surveillance Radar</li> </ul>	Outstanding	Outstanding	Outstanding	<p>Wording of this requirement is under review and is subject to agreement between the Parties.</p> <p>Appendix 1 provides details of the Parties' positions to date in respect of requirement 35. NATS advise that agreement in respect of the wording of the requirement will be subject to conclusion of the commercial agreement.</p>



ID	Topic	Statement	East Anglia TWO Limited Position	East Anglia ONE North Limited Position	NATS position	Notes
						<p>NATS cannot withdraw its objection until the commercial agreement has been completed and the details of the requirement must be agreed within the context of such commercial agreement.</p> <p>Negotiation of the Agreements has commenced, and the Parties are working to have it completed by Deadline 9 to allow submission of a Final SoCG at Deadline 9.</p> <p><b>Deadline 8 update:</b> The Commercial Side Agreement is with the Applicant and NATS are waiting for a response. A meeting has been set up on the 1<sup>st</sup> April 2021 to discuss the Commercial Side Agreement.</p> <p><b>Deadline 9 update:</b> The parties met on 9<sup>th</sup> April 2021 to discuss the Commercial Side Agreement and outstanding matters. It was agreed between the parties that they would aim to complete negotiations for Deadline 11 – 7<sup>th</sup> June 2021.</p>
Other Matters as Required						



ID	Topic	Statement	East Anglia TWO Limited Position	East Anglia ONE North Limited Position	NATS position	Notes
NATS-107	None	Not applicable.				None

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### 3 Signatures

21. The above Statement of Common Ground is agreed between East Anglia TWO Limited, East Anglia ONE North Limited and NATS (En Route) plc on the day specified below.

Signed: _____
Print Name: _____
Job Title: _____
Date: _____
Duly authorised for and on behalf of <b>NATS (En Route) plc</b>
Signed: _____
Print Name: _____
Job Title: _____
Date: _____
Duly authorised for and on behalf of <b>EAST ANGLIA TWO LIMITED</b>
Signed: _____
Print Name: _____
Job Title: _____
Date: _____
Duly authorised for and on behalf of <b>EAST ANGLIA ONE NORTH LIMITED</b>



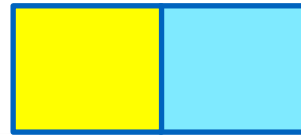
## 4 Appendices

### 4.1 Appendix 1. Record of engagement between The Applicant and NATS over DCO Requirement 35

1. Table as emailed to NATS by the Applicants on 31<sup>st</sup> July 2020.

As proposed in draft DCO Requirement 35	NATS proposed revision to draft DCO (June 2020)	SPR counter proposal on Cromer DCO requirement (July 2020)
<p><b>Cromer Primary Surveillance Radar</b></p> <p>35.—(1) No construction of any wind turbine generator forming part of the authorised development may commence until the Secretary of State, having consulted with NATS, confirms satisfaction in writing that appropriate mitigation is available and that arrangements have been put in place with NATS to ensure that the such appropriate mitigation is implemented for the required period.</p> <p>(2) The undertaker must comply with the obligations contained within the appropriate mitigation for the required period.</p> <p>(3) For the purposes of this requirement—</p> <p>(a) “appropriate mitigation” means measures to mitigate any adverse effects which the operation of the authorised development will have on the primary surveillance radar at Cromer and NATS’ air surveillance and control operations.</p>	<p><b>Cromer Primary Surveillance Radar 35</b></p> <p>35.—(1) No <del>construction</del> <b>erection</b> of any wind turbine generator forming part of the authorised development may commence until the Secretary of State, having consulted with NATS, <del>confirms</del> <b>has confirmed</b> satisfaction in writing that appropriate mitigation <del>is available</del> <b>will be implemented and maintained for the lifetime of the authorised development</b> and that arrangements have been put in place with NATS to ensure that the such appropriate <b>approved</b> mitigation is implemented <b>and in operation prior to erection of the wind turbine generators</b> for the required period.</p> <p>(2) The undertaker must comply with the obligations contained within the appropriate <b>approved</b> mitigation for the <del>required period</del> <b>lifetime of the authorised development</b>.</p> <p>(3) For the purposes of this requirement—</p> <p>(a) “appropriate mitigation” means measures to <del>mitigate</del> <b>prevent or remove</b> any adverse effects which the operation of the authorised development will have on <del>the primary surveillance radar at Cromer and</del></p>	<p><b>Cromer Primary Surveillance Radar</b></p> <p>35.—(1) No erection of any wind turbine generator forming part of the authorised development may commence until the Secretary of State, having consulted with NATS, has confirmed satisfaction in writing that appropriate mitigation will be implemented and maintained for the required period and that arrangements have been put in place with NATS to ensure that the approved mitigation is implemented and in operation prior to erection of the wind turbine generators.</p> <p>(2) The undertaker must thereafter comply with the obligations contained within the approved mitigation for the required period.</p> <p>(3) For the purposes of this requirement—</p> <p>(a) “appropriate mitigation” means measures to mitigate any adverse effects which the operation of the authorised development will have on the primary surveillance radar at Cromer and NATS’ associated air traffic (surveillance and control) services/operations during the required period;</p>





As proposed in draft DCO Requirement 35	NATS proposed revision to draft DCO (June 2020)	SPR counter proposal on Cromer DCO requirement (July 2020)
<p>(b) “NATS” means NATS (En-Route) Plc or any successor body;</p> <p>(c) “the required period” means the shorter of—</p> <p>(i) the operational life of the authorised development; and</p> <p>(ii) the period ending on the date notified to the Secretary of State by the undertaker and confirmed in writing by NATS being the date on which NATS no longer require the appropriate mitigation to be in place.</p>	<p>NATS’ <b>ability to provide safe and efficient air traffic (surveillance and control) services/operations during the lifetime of the authorised development;</b></p> <p>(b) <b>“approved mitigation” means the detailed Primary Surveillance Radar Mitigation Scheme setting out the appropriate mitigation approved by the Secretary of State and confirmed in writing in accordance with sub-paragraph (1) above;</b></p> <p>(c) “NATS” means NATS (En- Route) Plc or any successor body;</p> <p>(d) <del>“the required period”</del> <b>“lifetime of the authorised development”</b> means the <b>period ending when the wind turbine generators are finally decommissioned and removed</b> shorter of — (i) the operational life of the authorised development; and (ii) the period ending on the date notified to the Secretary of State by the undertaker and confirmed in writing by NATS being the date on which NATS no longer require the appropriate mitigation to be in place.</p>	<p>(b) “approved mitigation” means the detailed Primary Radar Mitigation Scheme setting out the appropriate mitigation approved by the Secretary of State and confirmed in writing in accordance with sub-paragraph (1);</p> <p>(c) “NATS” means NATS (En-Route) Plc or any successor body;</p> <p>(d) “the required period” means the shorter of—</p> <p>(i) the operational life of the authorised development; and</p> <p>(ii) the period ending on the date notified to the Secretary of State by the undertaker and confirmed in writing by NATS being the date on which NATS no longer requires the appropriate mitigation to be in place.</p>