

**From:** [REDACTED]  
**To:** [East Anglia ONE North](#); [East Anglia Two](#)  
**Cc:** [REDACTED]  
**Subject:** ESC Deadline 10 Submission  
**Date:** 06 May 2021 18:17:40  
**Attachments:** [image001.png](#)  
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[image006.png](#)  
[ESC Response to Deadline 10.pdf](#)

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Dear East Anglia One North and East Anglia Two Case Teams,

*Project Reference: EA1N - EN010077 and EA2 - EN010078*

*East Suffolk Council Interested Party Reference: EA1N – 20023870 and EA2 – 20023871*

I have attached East Suffolk Council's (ESC) submission to Deadline 10 for both EA1N and EA2 examinations which comprises:

- ESC's Response to Additional Information Submitted by the Applicants at Deadline 9

I would also like to take this opportunity to thank the Examining Authority for providing an early indication of the topic matters to be discussed at the Issue Specific Hearings identified for May 2021 and for the commitment to provide detailed agendas two weeks in advance of the hearings. This is very helpful and will greatly assist ESC and other Interested Parties in planning and managing their resources.

The letter from the Examining Authority dated 29 April 2021 requested that Interested Parties notify the case team of their wish to attend the further hearings scheduled in May 2021. Please be advised that ESC wishes to attend both Issue Specific Hearing 16 on 26 May 2021 and Issue Specific Hearing 17 on 28 May 2021. Those attending will include:

- ISH16
  - Isabella Tafur – ESC's barrister - [REDACTED]
  - Naomi Goold – Senior Energy Projects Officer - [REDACTED]
  - Nicholas Newton –Arboricultural and Landscape Manager - [REDACTED]
  - Karolien Yperman – Design and Conservation Officer - [REDACTED]
- ISH17
  - Andrew Tait – ESC's barrister - [REDACTED]
  - Naomi Goold – Senior Energy Projects Officer - [REDACTED]

I would like to reserve the right, if possible, to update the list of officers identified for attendance at each hearing following the publication of the detailed agendas, should this be necessary.

If you have any questions regarding the above submissions please do not hesitate to contact me.

Kind regards

Naomi



**Naomi Goold BSc (Hons) MA MRTPI**  
**Senior Energy Projects Officer**  
East Suffolk Council

[www.eastsuffolk.gov.uk](http://www.eastsuffolk.gov.uk)

**East Suffolk Council will continue to review and prioritise the delivery of its services during this unprecedented time.**

The COVID-19 outbreak will severely impact what we are able to do, however we will continue to support and protect our communities, delivering the critical services you need.

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## **The Planning Act 2008**

### **East Anglia One North (EA1N) and East Anglia Two (EA2) Offshore Wind Farms**

**Planning Inspectorate Reference: EA1N – EN010077 &  
EA2 – EN010078**

**Deadline 10 – 6 May 2021**

**East Suffolk Council's Response to Additional  
Information Submitted by the Applicants at Deadline**

## **Review of Additional Information Submitted by the Applicants at Deadline 9**

### **1. Introduction**

- 1.1. East Suffolk Council (ESC) has noted that the following additional information has been provided by the Applicants at Deadline 9 which is of relevance to the ESC's responsibilities:
  - Deadline 9 Topic Position Statements – REP9-009
  - Applicants' Comments on East Suffolk Council's Deadline 8 Submissions – REP9-011
  - Outline Construction Traffic Management Plan – REP9-003
- 1.2. ESC has reviewed the above documents and provided comments where relevant in the table on page 3. The comments provided relate to both East Anglia One North (EA1N) and East Anglia Two (EA2) projects.
- 1.3. The comments contained within this document are from ESC. ESC continues to work closely with Suffolk County Council (SCC) on these projects but to avoid repetition, each Council will lead on specific topic areas as set out in the Councils' joint Local Impact Report (REP1-132).
- 1.4. ESC notes that a number of documents have been submitted which are directly relevant to SCC's responsibilities as Local Highway Authority and therefore we will defer to SCC to lead on these matters.
  - Outline Construction Traffic Management Plan – REP9-003
  - Outline Access Management Plan – REP9-005
  - Outline Travel Plan – REP9-007
- 1.5. ESC has noted the further questions asked and additional information sought on 29 April 2021 by the Examining Authority under Rule 17 of the Infrastructure Planning (Examination Procedure) Rules 2010. ESC will consider the Applicants' responses provided at Deadline 10 and provide comments as necessary at Deadline 11.
- 1.6. ESC also notes the Examining Authority's acceptance that the change to the Order Limits adjacent to Ness House is not material to the applications. The Applicants discussed this amendment with the Council prior to its submission. ESC will provide further comments, if necessary, at Deadline 11 once the amended plans and documents have been reviewed.

The table below details ESC’s comments in relation to additional information submitted by the Applicants at Deadline 9.

Document submitted at Deadline 9		East Suffolk Council’s Comments
<b>Deadline 9 Topic Position Statements – REP9-009</b>		
Section 2.1 – Respective Positions on Cumulative Impact Assessment		<p>ESC agrees with paragraph 8 that <i>‘there remains an outstanding matter between the Applicants and the Councils relating to the consideration of future renewable energy and transmission projects with the potential to be located in East Suffolk.’</i> It is considered that this is likely to remain a point of disagreement between ESC and the Applicants.</p> <p>ESC notes the position set out in paragraphs 9 and 10 broadly reflects the Council’s position on the matter. ESC would however like to further add that the reason it is considered vital to fully understand the cumulative impacts of known future connections at this stage, is that these current applications seek consent for the National Grid substation which if approved would identify the site as a potential connection point for future projects (subject to extensions) and set a precedent in relation to later development.</p> <p>It is clear due to the connection offers previously made by National Grid Electricity System Operator (NG-ESO) that the Friston site was and is considered to have potential as a strategic connections point. ESC acknowledges that based on recent submissions to the examinations (REP7-066 and AS-100) Northfalls and Five Estuaries are no longer planning to connect at Friston, but the Friston site and National Grid substation (subject to extensions) remains the likely connection point for the National Grid Ventures’ (NGV) projects - Nautilus and Eurolink.</p> <p>ESC noted and provided comments at Deadline 9 (REP9-040) in response to the additional information provided by the Applicants within the Extension of National Grid Substation Appraisal (REP8-074). These comments remain valid.</p>
Table 2.1		
Ground Conditions and Contamination		Noted. ESC has no comments to make.
Land Use		ESC welcomes the commitment made by the Applicants within the Design Principles Statement (REP8-082) to seek to further reduce the visual extent of the onshore substations,

		<p>National Grid substation and cable sealing end compounds through appropriate equipment procurement and layout considerations, where cost effective and efficient to do so.</p> <p>ESC provided further comments in relation to the potential new design principle suggested by SCC at Deadline 9 (REP9-041). The inclusion of this design principle remains a matter of disagreement between ESC and the Applicants and it is considered that this is likely to remain a matter of disagreement.</p>
<p>Onshore Ecology</p>		<p>The Topic Position Statement identifies that <i>“the Councils have deferred to Natural England regarding air quality impacts on ecological receptors.”</i> Please note ESC intends to provide further comments once Natural England has submitted their response to the Applicants’ Deadline 6 Onshore Ecology Clarification Note (REP6-025). ESC at present retains concerns regarding the assessment and mitigation of impacts from Non-Road Mobile Machinery (NRMM).</p> <p>As set out in the ESC’s comment on paragraph 139 of the Outline Code of Construction Practice (OCoCP - REP8-017) submitted at Deadline 9 (REP9-040), whilst ESC has deferred to Natural England to lead on issues of air quality impacts on designated sites, the Council remains concerned that the potential for an impact on nature conservation still exists from NRMM, in particular at the landfall. ESC notes this matter remains outstanding although further information supplied by the Applicants at Deadline 6 (REP6-025) has been noted. Subject to further advice from Natural England, ESC has highlighted the need for the final landfall construction layout to include air quality impacts on the Site of Special Scientific Interest (SSSI) as a constraint, along with the need for monitoring and potentially additional mitigation measures if necessary. While this is partly captured in the Outline Landfall Construction Method Statement (OLCMS) submitted at Deadline 8 (REP8-053), minimisation, assessment and mitigation of air quality impacts should be made more explicit.</p> <p>ESC does not consider that this position has been fully reflected in the submitted Deadline 9 Topic Position Statement and therefore has sought to highlight this to the Examining Authority in this submission.</p>

Onshore Ornithology		Noted. ESC has no comments to make.
Air Quality		<p>This document states that the Applicants have committed to 70% of heavy goods vehicles (HGVs) adhering to Euro VI standards where construction of the Projects and Sizewell C overlap. The agreement regarding the Euro classes of the remaining 30% of HGVs is however not detailed. The Applicants have committed to ensuring that the majority of the remaining 30% of HGVs adhere to Euro V standards. The Applicants have also committed to a programme of monitoring, review and (if necessary) mitigation. These undertakings are set out in section 5.1.5 of the Outline Construction Traffic Management Plan (OCTMP, REP9-003).</p> <p>The Topic Position document (REP9-009) summarises that all matters regarding Existing Environment, Mitigation, Assessment Conclusions and the DCOs are agreed with the Councils. There is one outstanding matter regarding Assessment Methodology at Marlesford Bridge; the Applicants consider that the outstanding matter can be resolved during Examinations through an update the OCoCP. While the Councils agree that the majority of air quality issues have been agreed, for clarity the outstanding matters are:</p> <ul style="list-style-type: none"> <li>(a) Confirmation of no adverse impacts due to works at Marlesford Bridge; and</li> <li>(b) Confirmation of controls on NRMM emissions and monitoring of air quality in the vicinity of locations where intensive use of NRMM will take place close to sensitive habitat sites and/or human receptors.</li> </ul>
Water Resources and Flood Risk		ESC defers to SCC for comment as this is a matter they have led on during the examinations.
Archaeology and Cultural Heritage – Unknown Heritage Assets		ESC defers to SCC for comment as this is a matter they have led on during the examinations.
Archaeology and Cultural Heritage – Setting of Designated and Non-Designated Heritage Assets		<p>ESC agrees that there remains professional disagreement between the Applicants and the Council in relation to the level of harm identified to Woodside Farm, High House Farm and the Church of St Mary.</p> <p>In relation to mitigation, ESC seeks to clarify that it is agreed that the planting does not cause further harm to the setting of the heritage assets but considers that although the planting would provide a degree of screening, it is not considered that it would serve to lower the significance of the impact on the assets.</p>

Noise and Vibration - Construction		Noted. ESC has no comments to make.
Noise and Vibration - Operation		Noted. ESC has no comments to make.
Traffic and Transport		ESC defers to SCC for comment as this is a matter they have led on during the examinations.
Human Health		Noted. ESC has no comments to make.
Offshore Seascape, Landscape and Visual Amenity		<p>ESC has deferred to Natural England in relation to matters of seascape, landscape and visual amenity as the advisor to Government on protected landscapes and the Council reiterates its support for Natural England’s position on these matters.</p> <p>ESC provided comments at Deadline 9 (REP9-040) in response to the submission by the Applicants of the Landscape and Visual Sizewell C Cumulative Impact Assessment – REP8-075. It is considered that this addresses the outstanding matter of cumulative impacts with Sizewell C identified within LA12.21 of the joint Statement of Common Ground (REP8-114).</p>
Landscape and Visual		<p>ESC has provided further comments in relation to the Council’s position regarding the existing baseline environment at Friston at Deadline 9 (REP9-041) which referred back to comments provided at Deadline 2 (REP2-029). ESC considers that this is a matter which will remain a point of disagreement with the Applicants.</p> <p>ESC welcomes the commitment made by the Applicants within the Design Principles Statement (REP8-082) to seek to further reduce the visual extent of the onshore substations, National Grid substation and cable sealing end compounds through appropriate equipment procurement and layout considerations, where cost effective and efficient to do so.</p> <p>ESC provided further comments in relation to the potential new design principle suggested by SCC at Deadline 9 (REP9-041). The inclusion of this design principle remains a matter of disagreement between ESC and the Applicants and it is considered that this is likely to remain a matter of disagreement. For clarification, it is not just potential changes in current legislation that the design principle suggested by SCC was intended to cover but also changes in legislation or regulation which would facilitate greater sharing of infrastructure akin to that currently being proposed by the developers of the Sheringham Shoal and Dudgeon extensions.</p>



Tourism		Noted. ESC has no comments to make.
Recreation (Public Rights of Way)		ESC defers to SCC for comment as this is a matter they have led on during the examinations.
Socio-Economics		Noted. ESC has no comments to make.
Coastal Management (not included within Table 2.1)		<p>Although there is not a positional statement in relation to coastal management as this topic is not the subject of a Statement of Common Ground, it is considered important to provide the Examining Authority with an updated position on this matter from ESC’s perspective.</p> <p>ESC is satisfied with the OLCMS (REP8-053), noting that this document includes a requirement for further site investigation and design by the Applicants (on cable duct line, breakout location and cliff vibration damage risk management), the output of which is to be submitted to ESC for review and approval in accordance with Requirement 13. ESC’s objective to avoid a significant negative impact on the Coralline Crag is shared by the Applicants (Section 1.3, OLCMS, REP8-053) The outstanding site investigations and design actions secured within the OLCMS and by Requirement 13 are required to demonstrate compliance by the Applicants with this objective. ESC is also satisfied with the findings of the Applicants’ studies to assess potential coastal change over the operational life of the landfall site, which includes a significant risk allowance which will be used to set the transition bay locations. The final Landfall Construction Method Statement (LCMS) will need to demonstrate how the breakout location and profile of the duct installation will be resilient to coastal change over the operational life of the landfall site. ESC also welcomes the commitment by the Applicants to undertake a programme of monitoring to compare actual shoreline change trends with as-built records to ensure that design assumptions on resilience are not compromised. Both these elements will be secured by the OLCMS and Requirement 13.</p> <p>ESC is satisfied that any outstanding details and information will be secured by the OLCMS and Requirement 13.</p>
<b>Applicants' Comments on East Suffolk Council's Deadline 8 Submissions – REP9-011</b>		
2.1 East Suffolk Council’s Summary of Oral Case for ISH10 (REP8-153), Agenda Item 4 – Health and Social Wellbeing		The Applicants have stated that they are going to comply with stage IV standards or later ‘where possible’ and confirmed this is set out within the OCoCP (REP8-017). Minimisation of emissions from NRMM is an important part of controlling the human health risks of NRMM.

ID2		<p>The Applicants' Air Quality Deadline 3 Clarification Note (REP3-061), while focused on the potential impacts on nature conservation, also shows the potential for significant contributions to offsite levels of nitrogen dioxide at human health locations, and the importance of ensuring that emissions are controlled to Stage IV emission limits, as assumed in the Air Quality Deadline 3 Clarification Note. To avoid repetition, this is addressed in relation to nature conservation in ESC's response below regarding the OCoCP and NRMM.</p>
2.3 East Suffolk Council's Summary of Oral Case for ISH12 (REP8-146), Agenda Item 3 – Operational Noise ID8 - a)b and a)d		<p>ESC welcomes the Applicants' commitment to an Operational Noise Design Report (as set out within the Substations Design Principles Statement (REP8-082)) and the associated revisions to Requirement 12 and 27 which requires the detailed scheme to be assessed using principles set out in BS 4142:2014+A1:2019 including assessment of any tonality using the method set out in Annex D of the standard.</p>
ISH12 Hearing Action Points – 11 March 2021 – Construction Noise ID39		<p>There remains a disagreement between ESC and the Applicants about the status of the HS2 construction noise Lowest Observed Adverse Effect Level (LOAEL) and Significant Observed Adverse Effect Level (SOAEL) values in relation to this development. However, ESC welcomes the Applicants' statement at ID88 which confirms that the provisions relating to construction noise as set out in the OCoCP are now agreed between the parties.</p>
ISH12 Hearing Action Points – 11 March 2021 – Operational Noise ID40		<p>ESC does not accept this statement as a correct representation of the position set out at the ISH12 (REP8-146), in the Response to Examining Authority's Action Points following Issue Specific Hearing 12 (REP8-145) or the Deadline 9 submissions (REP9-040, REP9-041).</p> <p>ESC is agreed with the principle that there is a lower limit where the LOAEL reaches an absolute threshold irrespective of how far below this the background sound level is. However, ESC does not agree with the Applicants' assertion (based on an interpretation of the superseded version of the standard) that this level is 35 dB LAr. ESC maintains that the noise from the substations at limits set in Requirement 27 will have an adverse impact but accept rating levels below the operation limits will be below the threshold of significant adverse impact (SOAEL).</p> <p>Notwithstanding the areas of disagreement between the Applicants and ESC regarding background sound levels and the methodology used to determine the LOAEL, ESC welcomes</p>

		<p>the Applicants’ commitment to minimise the operational noise rating level below the limits set out in Requirement 27 of the DCOs by incorporating Best Practicable Means in noise control at the detailed design stage and accept that this is compliant with the various planning policies relating to noise. This position is reached based on the information provided that the current rating limit is the lowest level currently achievable and due to the commitment to adopt Best Practicable Means to reduce noise levels further at the detailed design stage subject to the Applicants caveats.</p>
Noise Modelling Clarification Note (REP4-043) ID48		See ESC’s response to ID40.
Operational Noise Comments Deadline 6 (REP6-081) ID62		See ESC’s response to ID40.
ESC Comments on Expert Report on Noise (REP7-041) ID83		See ESC’s response to ID40.
2.4 East Suffolk Council’s Summary of Oral Case for ISH14 (REP8-147), Agenda Item 13 – Any other business relevant to the Agenda ID17		<p>ESC notes that it is now the Applicants’ intention to address the issue of operational noise impacts on ecological receptors (particularly bats) as part of the Operational Noise Design Report secured through Requirement 12 of the draft DCOs, which is expanded upon within the Substations Design Principles Statement [REP8-082].</p> <p>Whilst the difficulty of providing detailed modelling of such noise outputs at the early design stage is acknowledged, in the absence of any information on high frequency operational noise outputs from the substations it remains an area of concern for the Council.</p> <p>Whilst in theory the Operational Noise Design Report secured through Requirement 12 could be a mechanism used to secure information on this matter, at present the submitted Substations Design Principles Statement [REP8-082] only references human receptors in the Noise section (4.7) and no reference to noise is made in the Onshore Ecology section (4.6). If this approach is to be taken, this omission would need to be addressed. As the Substations</p>

		<p>Design Principles Statement informs the content of the Operational Noise Design Report an updated version is required including the issue of high frequency noise impacts on ecological receptors. In parallel with this, ESC considers that an update to the Outline Landscape and Ecological Management Strategy (OLEMS) is also required to reflect the need for the results of the pre-commencement ecological surveys (as secured by Requirement 21) to inform the assessment which will be part of the Operational Noise Design Report. The OLEMS should also reference the potential need for further mitigation measures to be implemented, should the assessment identify that a significant impact is likely to occur during operation. Sections 6.7 and 9 of the OLEMS submitted at Deadline 8 (REP8-019) appear to be the relevant sections to update.</p>
<p>2.7 East Suffolk Council’s Response to Hearing Action Points ISH9 and ISH15 (REP8-148), Appendix 1 – ESC position Permitted Development Rights ID34-38</p>		<p>The Applicants’ responses are noted but ESC’s position remains as set out in REP8-148.</p>
<p>2.9 East Suffolk Council’s Response to Additional Information Submitted at Deadline 7 (REP8-151), Outline Code of Construction Practice (REP7-025) ID17</p>		<p>Notwithstanding the new text in the OCoCP submitted at Deadline 8, ESC reiterates its understanding that <i>“the Applicants will commit to using NRMM with minimum Stage IV emission limits”</i>. This request is important to ensure that the information in Applicants’ Air Quality Deadline 3 Clarification Note (REP3-061) can be relied on. This note stated: <i>“All plant is assumed to operate at the Stage IV emission standard, with the exception of the temporary lighting rigs and pumps as these smaller engines were unregulated until the Stage V emissions standards came into force”</i> (paragraph 21, REP3-061).</p> <p>The wording <i>“where possible”</i> has been introduced in the OCoCP submitted at Deadline 8. It is reasonable to include this caveat, but this represents a departure from the assumptions used in the Air Quality Deadline 3 Clarification Note (REP3-061). ESC therefore requests an additional measure be included in the OCoCP in the light of this caveat, to ensure that any impacts from higher emitting plant are avoided, as follows: <i>“If Stage IV plant is not possible, ESC requests that the reasons for this should be provided to ESC, and any such plant should be deployed in locations as far away from sensitive receptors as practicable.”</i> For the avoidance</p>

		<p>of doubt, “sensitive receptors” should include both nature conservation sites and human sensitive locations.</p> <p>As highlighted in ESC’s Summary of Representation Issue for Specific Hearing 7 – Biodiversity and Habitat Regulations Assessment (REP6-075), ESC requests that suitable safeguards regarding the location, number and capacity of NRMM to be used in locations close to the Sandlings Special Protection Area (SPA) and Leiston-Aldeburgh SSSI should be included in the OCoCP.</p> <p>As highlighted elsewhere, ESC remains concerned that the potential for an impact on nature conservation still exists, in particular at the landfall. While ESC has deferred to Natural England to lead on issues of air quality impacts on designated sites, ESC notes this matter remains outstanding. Subject to further advice from Natural England, ESC has also highlighted the need for the final landfall construction layout to include air quality impacts on the SSSI as a constraint, along with the need for monitoring and potentially additional mitigation measures if necessary. While this is partly captured in the OLCMS submitted at Deadline 8 (REP8-053), minimisation, assessment and mitigation of air quality impacts should be made more explicit.</p>
<p><b>Outline Construction Traffic Management Plan – REP9-003</b></p>		
<p>Paragraph 70</p>		<p>The commitment to 70% of the projects HGV delivery vehicles being Euro VI in the event of an overlap of the proposed EA1N and EA2 projects’ construction phase with the construction of the proposed Sizewell C nuclear power station is welcomed and noted. It would be helpful for this paragraph to confirm that the highest emissions standard vehicles available will be used, and the majority of non-Euro VI HGVs will be Euro V, consistent with the information provided in Section 5.1.5 of the document.</p>
<p>Paragraph 146</p>		<p>The Euro class monitoring requirements as agreed between the Applicants and ESC are incorporated in paragraphs 139-149.</p> <p>ESC requests an amendment to provide for provision of information on Euro standards of vehicle fleet on a monthly basis during the initial three months (rather than on a quarterly basis as currently envisaged), so that an early assessment of performance can be made. This</p>

		<p>would enable prompt action to be taken to address any potential problems. This would require an amendment to OCTMP paragraphs 146 and 148.</p>
<p>Paragraphs 14 and 151</p>		<p>ESC requests that monitoring reports relating to the Euro Class make-up of the construction fleet are sent to ESC in addition to SCC, including any reports on breaches.</p>