



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 11 – 07 June 2021

East Suffolk Council's Summary of Oral Case - Issue Specific Hearing 16

Issue Specific Hearing 16 (26 May 2021) – The Proposed Substations Site

Examining Authority's Question	East Suffolk Council's Response	References
Agenda Item 1 – Welcome, introductions and arrangements for these Issue Specific Hearing 16		
<p>ISHs 2, 4, 11 and the written process have examined aspects of the proposed substations sites for the projects. These hearings do not intend to re-cover such areas. Their primary purpose is to consider latest evidence and developments relating to design, flood risk and drainage matters, and any resulting effects on matters such as landscaping and historic heritage.</p>		
Agenda Item 2 – Design Matters		
<p>Discussion around the latest version of the Substation Design Principles Statement [REP8-082] and representations received relating to this. Discussion to include consideration of the proposed substations (including the proposed National Grid substation) and surrounding infrastructure, including sealing end compounds.</p>	<p>Substations Design Principles Statement (SDPS, REP8-082)</p> <p>ESC acknowledges that the SDPS is a useful basis for further discussions on detailed aspects of the substations design. ESC provided comments in relation to the latest version of this document at Deadlines 9 and 10 (REP9-040, REP9-041, REP10-038). A summary of relevant comments has been provided below.</p> <p><i>Design Principles</i></p> <p>ESC has made the following comments in relation to the design principles identified within the SDPS.</p>	<p>ESC Response to Applicants D8 Submissions - REP9-040</p> <p>ESC Review of Actions Identified in the LIR – REP9-</p> <p>ESC Response to Deadline 10 – REP10-038</p>

	<p>Visual Impact – ESC welcomes the Applicants commitment to seek further reductions to the visual extent of the onshore substations, National Grid substation and cable sealing end compounds where <i>'cost effective and efficient'</i>.</p> <p>Cable Sealing End Compounds – ESC welcomes the commitment to align the Cable Sealing End Compounds adjacent to existing field boundaries where possible.</p> <p>Operational Noise – ESC welcomes the Applicants' commitment to minimise the noise rating level below the limits set by Requirement 27 of the draft Development Consent Orders (dDCOs) by incorporating Best Practicable Means in noise control at the detailed design stage, subject to the consideration of specific matters.</p> <p>ESC remains concerned regarding the potential impacts on bats as a result of the operational noise from the substations which has been previously set out in the Local Impact Report (REP1-132) and subsequent submissions to the examinations (REP3-094, REP5- 048, REP6-075, REP7-063). The Applicants stated in their REP10-007 response that this matter would be addressed by the Operational Noise Report secured through Requirement 12 and expanded upon within the SDPS (REP8-082). It is however considered that the SDPS would need to be updated to reflect this commitment and include reference to ecological as well as human receptors. ESC is in positive dialogue with the Applicants on this matter.</p> <p>Finished ground levels – ESC has previously commented that if the final finished ground level cannot be specified at this time, then a maximum ground level parameter should be included within the</p>	<p>Applicants' Comments on East Suffolk Council's Deadline 9 Submissions – REP10-007</p> <p>ESC Comments on Applicants Deadline 1 Submissions – REP2-029</p> <p>ESC Comments on Applicants Deadline 3 Submissions – REP4-059</p>
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		<p>SDPS (REP4-059) and that the ‘presumption of achieving the lowest practicable finished ground levels to minimise visual impact’ should be included as a principle within the SDPS document (REP2-029). ESC has engaged with the Applicants on this matter. Although ESC would welcome a more overt commitment in relation to the finished ground levels of the site, it is acknowledged this is not a matter upon which agreement will be reached with the Applicants and it is noted that the SDPS (REP8-082) includes the following commitment ‘Reduction of visual impact of onshore substations, National Grid substation and cable sealing end compounds’, which would also include consideration of the finished floor levels.</p> <p>Additional Design Principle - ESC supports SCC’s request for the inclusion of an additional design principle as detailed below as set out previously (REP5-048, REP9-040, REP9-041):</p> <p><i>The detailed design of the project and the procurement processes that support it, will both engage with, respond to, and in so far as practicable, adopt and adapt to, any new opportunities arising from emerging new technologies and changes to legislation and regulations, in order to minimise the harms to the receiving environment and maximise the benefits of the project through good design. Engagement with the opportunities that may be offered from emerging technological, regulatory, and legislative change is a fundamental principle, that will be applied at all times, during the design procurement and development process.</i></p> <p>The inclusion of this design principle would provide a commitment for the Applicants to consider the design of the projects and any potential to adapt to the changing policy, regulatory and</p>	
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		<p>technological environments. This would however be within the confines of the Rochdale envelope consented and detailed by the DCOs.</p> <p>Following further discussions with the Applicants, it has been confirmed that engagement in relation to the design of the substations and infrastructure has already started to occur and will continue to do so. ESC has been advised by the Applicants that it is not anticipated that there would be a significant delay between the consent of the projects, if the Orders are made, and their design. This is reflected within the timescales provided within the engagement set out in Appendix A of the SDPS (REP8-082). Therefore, although ESC would like to see this additional principle included within the SDPS, it is accepted that this is not a matter upon which the Applicants and ESC are likely to agree and that if the Applicants proceed on the timeframe envisaged there is unlikely to be significant changes to available technologies, current policy or regulations. However, in the event of any project delays the omission of the proposed principle could be potentially significant, particularly given the rapidly changing policy and regulatory environment. It for this reason that the position that the proposed principle should be included is maintained.</p> <p><i>Engagement Strategy</i></p> <p>ESC welcomes the Applicants’ commitment to engage directly with occupiers of a number of properties in Friston, it was however noted that the list appeared to omit a number of relevant properties. ESC raised this at Deadline 9 (REP9-040) and welcomes the Applicants’ response to this at Deadline 10 (REP10-007) which confirmed that</p>	
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	<p>this would be addressed, and the properties included within the direct engagement strategy.</p> <p><i>National Grid Substation</i></p> <p>ESC requested that the Applicants provide an assessment of the National Grid Gas Insulated Switchgear (GIS) substation which should include the consideration of alternatives to sulphur hexafluoride (SF6) (REP1-132, REP8-041). The Environmental Statements are based on the use of an Air Insulated Switchgear (AIS) substation, although the Applicants have provided visualisations to show what a GIS substation would look like. Although the visualisations are useful, it is not possible for ESC to fully compare the impacts of the two technologies and assess the degree to which one technology is beneficial over the other. The lack of a full assessment of the GIS option also limits the Examining Authority’s ability to recommend to the Secretary of State that one technology should be favoured over another and prevents the ability for only the GIS option to be consented by the DCOs.</p> <p>ESC supports the Applicants recent commitment at Deadline 10 (REP10-007) to provide an assessment of a GIS substation at Deadline 11.</p> <p>ESC has noted and welcomed the engagement the Applicants have undertaken with the supply chain in relation to the onshore project substations in order to seek reductions in the maximum parameters. ESC supports the continuation of this work through the post consent design refinement work. ESC however notes that National Grid has</p>	
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		<p>not undertaken similar work and endeavoured to seek reductions in the parameters of their substation.</p> <p><i>Connections for Future Projects</i></p> <p>ESC has made recent representations in relation to the cumulative impacts of the current applications with future projects, most recently at Deadline 9 (REP9-040 and REP9-041). The Council however notes the Examining Authorities desire to deal with this matter through written submissions and not at this hearing.</p>	
Agenda Item 3 – Flood Risk and Drainage			
<ul style="list-style-type: none"> • Flood risk and drainage during construction • Operational flood risk and drainage <ul style="list-style-type: none"> a) Results and implications of infiltration testing b) Indicative design c) Outline Operational Drainage Management Plan submitted at D8 [REP8-064] including but not limited to: <ul style="list-style-type: none"> • Infiltration/hybrid storage volumes • Discharge to Friston watercourse • Adoption and maintenance d) Relationship with the Outline Landscape and Ecological 		<p>ESC will defer to Suffolk County Council (SCC) as the Lead Local Flood Authority (LLFA) on technical drainage and flood risk matters.</p> <p>d) The Applicants have submitted responses to the Examining Authorities’ Rule 17 letter dated 13 May 2021 in the form of the following two documents:</p> <ul style="list-style-type: none"> • Applicants’ Response to Rule 17 Questions of 13 May: Initial Infiltration Testing Preliminary Results (AS-121); and • Applicants’ Response to Rule 17 Questions of 13 May: Design and Layout of the Substations (AS-122). <p>The drainage submission provides details of the initial infiltration testing results and a commentary on how the infiltrate rates were identified. The second submission provides a series of drawings to illustrate that based on these infiltration rates, sufficient land is available within the Order Limits to deliver the Outline Mitigation Management Plan (OLMP) planting and an infiltration only SuDS</p>	

<p>Management Strategy [REP10-005] and nearby heritage assets, including any considerations of good design resulting from changes discussed during items a) to c).</p> <p>Depending on implications for design, matters covered in Agenda Item 2 that are influenced by the content of this item may need to be discussed.</p> <p>The Applicants, SCC, ESC and SASSES and any other relevant participants will be invited to comment.</p> <p>The Applicants will be provided with a right of reply.</p>		<p>scheme. It is also shown that should one of the project substations not be constructed, the Applicants will take the opportunity to retain existing hedgerows and provide further screening planting where appropriate, this is welcomed.</p> <p>Based on the drawings within AS-122, the Applicants have identified that the SuDS does not materially alter the mitigation planting proposals and therefore the Landscape and Visual Impact (LVIA) conclusions remain valid. If this information is accurate, ESC is of the view that the significance of the impact of the developments on the setting of heritage assets would remain unchanged from the levels previously identified by the Council at Deadline 5 (REP5-048). However, SCC as the LLFA has raised concerns that the infiltration testing undertaken was not in full accordance with BRE-365 guidance and there is disagreement in relation to the Factor of Safety figure utilised in the calculations. The disagreement in relation to the validity of the discharge rates potentially undermines the accuracy of the updated overall design and layout drawings.</p> <p>In order to address this, ESC welcomes the Applicants commitment to undertake further infiltration testing from 24 May 2021 and provide the results of this testing to ESC and SCC prior to Deadline 12. ESC is currently engaging with the Applicants and SCC on this matter. The Council will therefore provide further comment in relation to the implications of the operational drainage scheme on the overall design of the substations site once the information is submitted into the examinations.</p> <p>ESC however recognises the need for the SuDS design to be considered and balanced alongside other mitigation measures</p>	
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		<p>which are required to be delivered at the substations site. It is important that the overall site design incorporates optimum mitigation measures across topic matters and any competing demands are appropriately and properly assessed and considered at the final design stage. This is one of the reasons why the Council considers it should remain the discharging authority for Requirement 41. ESC has made previous representations on this matter at issue specific hearings and submitted written comments at various deadlines (REP9-040, REP8-152, REP5-047). Further comments in relation to this matter have been provided in ESC’s Summary of Oral Case for ISH17 also submitted at Deadline 11.</p>	
<p>Agenda Item 4 – Any other business relevant to the Agenda</p>			
<p>The ExAs may extend an opportunity for participants to raise matters relevant to the topic of these hearings that they consider should be examined by the ExAs.</p> <p>If necessary, the Applicants will be provided with a right of reply.</p>		<p>ESC has no further comments to make.</p>	
<p>Agenda Item 5 - Procedural Decisions, Review of Actions and Next Steps</p>			
<p>The ExAs will review whether there is any need for procedural decisions about additional information or any other matter arising from Agenda items 2 to 4.</p> <p>To the extent that matters arise that are not addressed in any procedural decisions, the ExAs will address how any actions placed on</p>			

<p>the Applicants, Interested Parties or Other Persons are to be met and consider the approaches to be taken in further hearings, in the light of issues raised in these hearings. A written action list will be published if required.</p>			
<p>Agenda Item 6 – Closure of hearing</p>			

The table below provides ESC’s response to the action points raised during ISH16.

No.	Action Point		Party	Deadline	East Suffolk Council’s Comments
<p>ISH16 Hearing Action Points – 26 May 2021</p>					
<p>4</p>	<p>Engagement with ESC and SASES on noise provisions. Noting the potential to reach final agreed positions on provisions relevant to the control of noise, the Applicants are asked to engage in final dialogue with ESC and SASES.</p>		<p>The Applicants ESC SASES</p>	<p>D11</p>	<p>ESC notes the Examining Authorities’ request and will participate in any discussion as request by the Applicants.</p>
<p>7</p>	<p>Certified Documents (Schs 17) audit The Applicants have been requested to carry out a final audit and to submit a position statement on all documents to be referred to in Schs 17 (certified documents).</p>		<p>Applicants and relevant IPs</p>	<p>D11 for most final versions D12 for audit and versions requiring</p>	<p>ESC notes the Examining Authorities’ request and will review the Applicants’ position statement at Deadline 11 and provide comments if necessary, at Deadline 12.</p>

	<p>If there are matters still unagreed in relation to documents that are capable of agreement, versions are requested to be submitted at D11, to enable IPs to respond to them at D12 and agreement and/ or final changes and any outstanding matters to be noted before the end of the Examinations.</p> <p>If this cannot be achieved for good reason, the Applicants are requested to engage directly with relevant interested parties so as to ensure that, whilst a final draft text might not have been made available at D11, positions by both the Applicants and IPs can be provided by D12. If needs be, the Applicants may request the ExAs to receive and publish additional submissions to support this process.</p>			<p>further development</p>	