



**SCOTTISHPOWER
RENEWABLES**

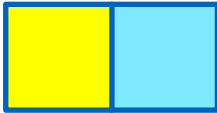
East Anglia ONE North and East Anglia TWO Offshore Windfarms

Applicants' Comments on Wardens Trust's Deadline 11 Submissions

Applicant: East Anglia TWO and East Anglia ONE North Limited
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Applicable to East Anglia ONE North and East Anglia TWO



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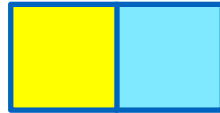
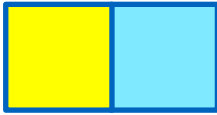


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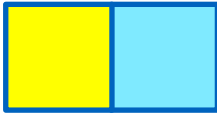
Glossary of Acronyms

DCO	Development Consent Order
HDD	Horizontal Directional Drilling
HGV	National Grid Ventures
SPA	Special Protected Area



Glossary of Terminology

Applicant	East Anglia TWO Limited / East Anglia ONE North Limited
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 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.



1 Introduction

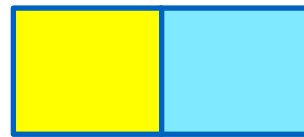
1. This document presents the Applicants' comments on Wardens Trust's Deadline 11 submissions as follows:
 - Wardens Trust's Deadline 11 Submission – Comments on any additional information / submissions received at Deadline 10 (REP11-198).

2. This document is applicable to both the East Anglia TWO and East Anglia ONE North 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 procedural decisions on document management of 23rd 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.

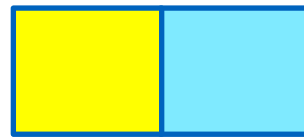


2 Comments on Wardens Trust's Comments on any Additional Information / Submissions Received at Deadline 10 (REP11-198)

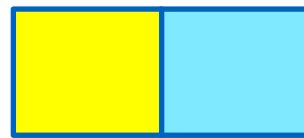
ID	Wardens Trust's Comment	Applicants' Comments
Introduction		
1	<p>I am writing again at the request and agreement of the Trustees of Wardens Trust for submission at Deadline 11.</p> <p>We continue to strongly object to the Scottish Power Renewables (SPR) application.</p> <p>Our objections, detailed below, are on the following grounds; the altered cable route; the loss of amenity value for our holiday accommodation; the risks to the Trust's water supply; the cumulative impact of two sequential cable corridors; lack of meaningful engagement and trust.</p> <p>These objections remain, notwithstanding SPR's recent proposal, as we previously suggested, of moving the cable corridor further west.</p>	No comment.
The Cable Corridor		
2	<p>From the Directional Drilling site the original cable corridor route angled deliberately closer to and touched the western edge of the Wardens site and access drive. In the spirit of partnership, Wardens specifically asked SPR if we could write, jointly together, a letter to the Environment Agency (EA) who are responsible for protecting the local SSI, explaining the rationale for moving the corridor 100 yards west. There was no response to that request and at a meeting on 23 March we were informed that the corridor could not</p>	<p>The Wardens Trust have repeated their Deadline 9 Submission (REP9-092).</p> <p>The Applicants have addressed this representation in the Applicants' Comments on Wardens Trust's Deadline 9 Submissions (REP10-023) and have nothing further to add.</p>



ID	Wardens Trust's Comment	Applicants' Comments
	<p>be moved. No formal reasons were given. The landowner was happy for it to be moved. On 14 April we received an email explaining that SPR was seeking to change the route to one which would not touch our western boundary. Whilst we note that concession, our surprise about such a volte face remains and the reasons about why what was previously impossible is now proposed are not forthcoming.</p>	
3	<p>The cable corridor even in its present route will significantly impact the enjoyment of clients who come to our site. Access to the walks around the Rye Grass Walk, the Alexander Wood, Thorpe Went and the Thorpeness common will be enormously restricted so that children on Duke of Edinburgh hikes will have to walk down the bye-way and cross a haul road. Our clients inform us that restrictions will significantly impact their access to and enjoyment of our site.</p>	<p>The Applicants' refute the claim that the Projects will significantly impact the enjoyment of clients who attend the Wardens Trust. Significantly, the Order limits are some 80m from the Wardens Trust at their closest point and will experience short term, infrequent construction activities as set out in the Outline Code of Construction Practice (REP11-015) which states:</p> <p><i>"It is important to understand the nature and duration of the activities being undertaken within the section of onshore cable route which falls in close proximity to the Wardens Trust. The circa 200m section of the onshore cable route identified as being subject to additional construction phase controls (see Figure 1, Appendix 2) is likely to experience the following key construction activities during a parallel construction of the East Anglia TWO project and the East Anglia ONE North project over an approximate 24-month period:</i></p> <ul style="list-style-type: none"> • <i>Acoustic fence installation: 4 days</i> • <i>Topsoil strip and storage bund development: 2 days;</i> • <i>Haul road installation: 2 days;</i> • <i>Trenching and duct Installation: 10 days;</i> • <i>Removal of haul road: 2 days;</i> • <i>Topsoil reinstatement: 2 days;</i>



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		<ul style="list-style-type: none"> • <i>Acoustic fence installation: 2 days; and</i> • <i>Ground reinstatement: 2 days.</i> <p><i>Outside the above construction activities, the temporary haul road would be in regular use (at reduced speed limits within the area shown in Figure 1, Appendix 2) to service the landfall works located further south."</i></p> <p>The above does not amount to prolonged disruption to receptors at the Wardens Trust. In addition, the Applicants noted that at the second compulsory acquisition hearing (CAH2), Dr Gimson in his capacity as a Trustee of the Wardens Trust advised</p> <p><i>"our perspective, if the cable corridor was moved, not a long distance, a short distance, then we think that many of our concerns could be met."</i></p> <p>Additional mitigation measures have also been set out in the Outline Code of Construction Practice (REP11-015) to further reduce disturbance to the Wardens Trust and any other property where it falls within 100m of the onshore cable route or other construction area.</p> <p>All public rights of way in the area will remain open at all times and may be subject to short term diversions to facilitate construction works.</p>
Loss of Amenity Value to our Site		
4	<p>Our clients, adults with children and children's groups, come to our site because of its unique clifftop location, and the peace and quiet of the surrounding countryside. There will be a massive impact on that as the haul road for all traffic coming to the Directional Drilling site will pass close to the site where disabled wheelchair bound people come for their holidays. The noise, dust and disruption will be immense. Despite ongoing discussion no mitigation has been</p>	<p>As set out in Change Request: Amendment to Order Limits at Work No. 9 (Plot 13) (AS-104), relocation of the cable corridor provides an additional ~80m of separation from the Wardens Trust and will be accompanied by the following additional mitigation measures during construction:</p> <ul style="list-style-type: none"> • Installation of temporary noise barriers along the onshore cable corridor where it falls within 100m of the Wardens Trust property;



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	<p>offered for that intrusion which will ruin the site as a holiday destination.</p>	<ul style="list-style-type: none"> • A reduced speed limit of 10mph will be enforced along onshore cable corridor where it falls within 100m of the Wardens Trust property; • Construction activities taking place within the permitted working hours; and • Bespoke Best Practicable Means and the associated best practicable noise mitigation measures which reflects the sensitive use of the Wardens Trust property set out within section 9.1.4 of the Outline CoCP (document reference 8.1) will be implemented by the Applicants' contractors. <p>The above 'additional' mitigation measures have been designed by the Applicants specifically to reduce the potential for construction disturbance to users of the Wardens Trust.</p> <p>The Applicants do not agree that the noise, dust and disruption will be immense given the mitigation measures in place, the distance between the Wardens Trust property and the Projects' Order limits, and the infrequent nature of the construction works within the closest section of Order limits to the Wardens Trust property.</p>
<p>Risks to the Trust's Water Supply</p>		
<p>5</p>	<p>The Trust relies upon a water supply from the owner of [REDACTED]. The Trust's Business Continuity Plan has identified interruption to this water supply as a potentially critical issue which the Trust needs to take cognisance of, and to manage proactively. Trustees have not been reassured by the current report from SPR, which does not adequate estimate risk in an objective and scientific manner.</p>	<p>The Applicants note that they provided a detailed response on these matters at Deadline 10 (REP10-023), particularly at ID4. The Applicants also note the Environment Agency's Deadline 11 submission (REP11-112) and the Applicants' Deadline 12 response to the Environment Agency (document reference ExA.AS-17.D12.V1).</p> <p>In short, a tiered approach has been taken to assessing the potential hydrogeological risks posed by the landfall works. The Landfall</p>



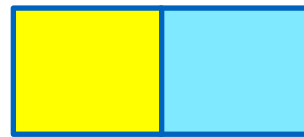
ID	Wardens Trust's Comment	Applicants' Comments
6	<p>Risk assessments for ground source water contamination should offer formal assessment of risk – a numerical value. Are SPR saying that there is NO risk – no possibility of any contamination? Or are SPR saying that the risk is very low? That might be acceptable to residents at Ness House if SPR had quantified “very low”. Is that a risk of 1 in 10, or 1 in 100, or 1 in 100,000? Risk assessments in other analogous contexts (such as flood risk) are quantified (albeit over a timescale such as a 100 year flood). It is not solely the absence of any numerical risk assessment that is a concern, but also complete lack of engagement with residents as to what is their perceived acceptable risk. All well-head water users accept that there is always some risk to their water supply. SPR need to ask residents what their perceived additional acceptable risk is. Trustees, as users of the well water, might have accepted a risk of 1 in 100,000 but would have rejected a risk of 1 in 10. If SPR had engaged in a dialogue with residents this issue could have been addressed openly and formally.</p>	<p>Hydrogeological Risk Assessment (REP6-021) presents a Tier 1 assessment using the publicly available information. Such an assessment is sufficient to provide a robust appraisal of potential risks, noting that no potential impact pathways have been identified and as such the proposed activities are considered to be low risk. The Applicants will revisit and refine the risk assessment post consent and this will address such items as those raised by the Environment Agency in its Deadline 11 submission (REP11-112) in line with its suggested timescales.</p> <p>Wells such as that at Ness House typically draw water from a very localised area (i.e. 1m to 200m). No changes to groundwater flow are therefore expected as the landfall horizontal directional drilling (HDD) will be located more than 400m away. Additionally, the use of environmentally friendly drilling fluids (such as bentonite) and drilling with a minimum practical flow rate of the drilling fluid will prevent drilling fluid losses to areas outside the bores. Drilling fluids are designed to seal permeable ground; naturally occurring bentonite clay is likely to be used as the base for drilling fluid which will line and seal the bores, preventing fluid loss and groundwater ingress.</p>
7	<p>A full objective, not curated, report is required. Why this issue has not been dealt with, weeks after the original deadline for completion of the examination and within 4 weeks of the final deadline, demonstrates to Trustees that SPR's approach to this application is either incompetent or arrogant and uncaring of the anxieties of local residents. Neither of those possibilities gives us reason to feel SPR is a trustworthy partner for local residents.</p>	<p>The Applicants consider that the Projects will not disrupt use of the Ness House well, but for reassurance have offered to provide an alternative supply during HDD activities at the landfall subject to voluntary agreement with the owner of the well.</p>
8	<p>The Trust has not been informed of any mitigation should their water supply be compromised. Unless SPR are proposing that there is NO risk, because there is therefore SOME risk, we need to</p>	



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	hear from the applicants what their mitigation is and agree that with them. No such approach on this topic has been received.	
Cumulative Impacts		
9	<p>National Grid Ventures intend to use the Friston substation to connect into the National Grid. The cumulative impact of another cable corridor – in NGV's case being even wider than that for SPR – will have a devastating impact on the local environment, on tourism, on the value of local properties and the social fabric of the community.</p> <p>We call upon the Examining Authority to take note of the impact over many years from two cable corridors. That impact will dramatically affect local residents, local community facilities such as Wardens Trust, social resilience, social capital and local mental health.</p> <p>The Trust does not see how it can survive the prolonged impact of two sequential cable corridors on access to our facility and the use of our unique site by disabled people. The Trust would be enclosed by wide cable corridors, frequent equipment movements along a haul road, and would have no access to the heaths and footpaths that people come to our site to enjoy. That impact, which might now continue until 2028, would be insurmountable.</p> <p>A cardinal and unique feature of our site is the peaceful cliff-top location, which adults and children return to yearly for rest, recreation and healing in a natural environment. That will be shattered by the cumulative impact of multiple cable corridors.</p>	<p>The Applicants have now made several submissions to the Examinations on this matter.</p> <p>As stated at ID5 of the Applicants Deadline 10 submission (REP10-023), it is incorrect to state that National Grid Ventures (NGV) intends to use the Friston substation to connect into the national grid. NGV's Deadline 3 submission (REP3-112) states that while it has engaged in early discussions with stakeholders and maintained a dialogue with National Grid Electricity System Operator, at no point has this translated into a confirmed grid connection at Friston for Nautilus or Eurolink. NGV's Deadline 11 submission (REP11-119) states that a grid connection at Friston is an assumption in its site selection process for these projects. Public consultation on this site selection process will not commence until late summer 2021 and Environmental Impact Assessment scoping will not occur before the first quarter of 2022.</p>
Lack of meaningful engagement and trust		



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10	<p>The Trust does not believe that SPR is negotiating in good faith or is a trustworthy developer. Our grounds for this include;</p> <ul style="list-style-type: none"> • Lack of meaningful engagement with the Trust. Meetings and words do not count as “engagement”. We have difficulty in trusting an organisation when their response to our concerns over the route veer so widely from impossibility of moving the route, to considering it, to stating it was not possible, and then a complete change of mind to recommending it. Trust is formed by openness and consistency, but SPR have demonstrated neither. • Lack of any objective scientific assessment of the risks to the water supply. SPR's curated assessment is not an impartial assessment of risk. • Rejection of the Trust's offer to work in partnership with SPR to address the route of the cable corridor with the Environment Agency. • Wardens Trust continues to have meetings with representatives of SPR. Trustees do not (yet) have confidence that SPR appreciates the real impact that their proposal will have on residents or the 2600 people (2019 activity figures) we expect to restart using our facility when lockdown is eventually released. Words and meetings, and moving a cable corridor yards away from us, is not real engagement. We see nothing in the behaviour of SPR which demonstrates that they truly believe Wardens Trust is “a key community facility” (their words) which they wish to support. 	<p>Dr Gimson has at various occasions during examination, sought to misrepresent land agreement discussions and discussions with the Applicants which is a matter of concern for the Applicants.</p> <p>Regarding water supply, the Applicants note the Environment Agency's Post Hearing Submissions Including Written Submissions of Oral Case (REP11-112) which confirms that <i>“the potential for the HDD bore to affect groundwater flow within the sand & gravel or Crag aquifer will be highly localised.”</i> and <i>“As highlighted above, further work is required in due course to inform the detailed design, and we [Environment Agency] are satisfied that we will have the opportunity to review this when it comes forward.”</i></p> <p>The Applicants' specialist and the Environment Agency are in agreement and confirm clear acknowledgement of the low risk profile of the works and the pre-construction controls over the work. This should give the Wardens Trust confidence on the information presented.</p> <p>The Applicants have advised the Wardens Trust on a number of occasions that the Environment Agency has no role in the management of the Sandlings Special Protection Area (SPA). The Applicants have engaged effectively with Natural England and this engagement provided the necessary confidence to the Applicants to realign the onshore cable route.</p>



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11	<p>Wardens Trust remains committed to working in partnership with SPR whilst the outcome of their application is considered. We do not see concrete evidence that SPR's approach is anything more than words. Until we see hard evidence of a recognition of the impact the new route will continue to have on our facility, Trustees believe SPR's approach (and notwithstanding the route change) is a cynical temporising measure until consent has been granted.</p> <p>Moving a cable corridor, as has been proposed, has not significantly reduced enough the impact on Wardens Trust of SPR's proposals, and we therefore continue to object strongly to this proposal in its current form</p>	<p>Important measures have been implemented by the Applicants, including the relocation of the onshore cable corridor 80m west from the Wardens Trust property, removal of Plot 10 which further reduces the construction works in the vicinity of the Wardens Trust property, provision of a temporary water supply connected to the pipework from the Ness House well (subject to voluntary agreement) and monitoring of the well (subject to voluntary agreement). These measures must be taken in context with the relatively infrequent construction activities in the vicinity of the Wardens Trust property.</p> <p>Given the increasingly entrenched nature of the Wardens Trust and the pending end of Examination, the Applicants consider that it is unlikely that further progress can be made on this matter at this stage. Further discussion would be held with the Wardens Trust on this matter post consent.</p>