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**AND BY EMAIL: EastAngliaOneNorth@planninginspectorate.gov.uk and EastAngliaTwo@planninginspectorate.gov.uk**

30 June 2021

Dear Sirs

**Planning Act 2008 and the Infrastructure Planning (Examination Procedure) Rules 2010**

**Application by East Anglia ONE North Limited for an Order Granting Development Consent for the Proposed East Anglia ONE North Offshore Windfarm Order; and**

**Application by East Anglia TWO Limited for an Order Granting Development Consent for the Proposed East Anglia TWO Offshore Windfarm Order**

I write further to the above and our letters dated 17 March 2021 and 29 March 2021.

In this letter:

"the Applicants" shall mean East Anglia ONE North Limited and East Anglia TWO Limited;

"the Commissioners" shall mean the Crown Estate Commissioners; and

"Orders" shall mean the East Anglia ONE North Offshore Windfarm Order and the East Anglia TWO Offshore Windfarm Order 2021 once made by the Secretary of State.

As part of the Examinations in respect of the applications for the Orders, we are advised by the Applicants that the Examining Authority has enquired as to whether the Commissioners' position on Crown consent as per our letter dated 17 March 2021 has been superseded by our letter dated 29 March 2021.

For the avoidance of doubt, the Commissioners' position is as set out in our letter dated 29 March 2021 and which updates the position set out in our letter dated 17 March 2021. The Commissioners maintain the view that consent pursuant to section 135(2) of the Planning Act 2008 ("**section 135(2) consent**") is not required in circumstances where (as here) none of the provisions in a development consent order authorise the acquisition of or interference with offshore Crown land because and on the basis that an agreement for lease has been entered into in relation to such land. Notwithstanding and without prejudice to that, the Commissioners' letter dated 29 March 2021 grants section 135(2) consent subject to the terms set out in that letter.

I trust that this clarifies the position and that the Commissioners will be kept informed as to progress regarding the Orders as the Examinations progress.

Yours sincerely

A black rectangular redaction box covers the signature area. A blue bracket is visible on the left side of the box.

**Jonathan Treadaway**  
**Senior Legal Counsel**  
**For and on behalf of the Crown Estate Commissioners**